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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE STATE OF INDIANA,

DURING THE

FORTY-~~EIGHTH~~ SESSION

OF THE

GENERAL ASSEMBLY,

COMMENCING THURSDAY, JANUARY 9, 1873.

REGULAR SESSION.

INDIANAPOLIS:
INDIANAPOLIS JOURNAL COMPANY, PRINTERS.
1873.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

The forty-eighth regular session of the General Assembly of the State of Indiana, begun and held at the capitol, in the city of Indianapolis, on Thursday, the 9th day of January, A. D., 1873, at 10 o'clock a. m., being the day fixed by law for the meeting of the same.

The House of Representatives being called to order by the Hon. William K. Edwards, Speaker of the last House of Representaties, by authority of an act of the Legislature, the following members answered to their names and were sworn into office by the Hon. Samuel H. Buskirk, one of the judges of the Supreme Court of the State of Indiana, and took their seats, viz. :

From the county of Allen—Jefferson C. Bowser and Mahlon Heller.

From the counties of Adams and Wells—John McConnell.

From the county of Bartholomew—John W. Cline.

From the county of Boone—Christian S. Wesner.

From the county of Carroll—John T. Richardson.

From the county of Cass—Charles W. Anderson.

From the county of Clay—William H. Gifford.

From the county of Clark—Joseph Baker.

From the county of Clinton—William Strange.

From the counties of Clark, Jefferson and Scott—Daniel Blocher.

From the county of Daviess—Matthew L. Brett.

From the county of Decatur—George Goudie.

From the county of Dearborn—Noah S. Given.
From the county of Delaware—Arthur C. Mellett.
From the counties of Decatur and Rush—John D. Miller.
From the counties of Dubois and Martin—Henry A. Peed.
From the county of Elkhart—John E. Thompson.
From the counties of Elkhart and Noble—David S. Scott.
From the county of Floyd—James H. Willard.
From the county of Fountain—Horatio R. Claypool.
From the county of Franklin—Israel Goble.
From the counties of Fayette and Union—Warren H. Broaddus.
From the county of Gibson—Clarence A. Buskirk.
From the county of Grant—Edward S. Lenfesty.
From the county of Green—John R. Isenhauer.
From the county of Hamilton—Nathan H, Clark.
From the county of Hancock—Charles G. Offut.
From the county of Harrison—William H. Pfrimmer.
From the county of Hendricks—Allen Furnas.
From the county of Henry—John T. Hedrick.
From the county of Howard—Thomas M. Kirkpatrick.
From the county of Huntington—Buell M. Cobb.
From the county of Hamilton and Tipton—John E. Rumsey.
From the county of Jefferson—David C. Branham.
From the county of Jennings—James M. Wynn.
From the counties of Jay and Blackford—Abram Wilson.
From the counties of Jasper, Pulaski and Newton—Jithro A. Hatch.
From the counties of Jefferson and Ripley—William D. Wilson.
From the county of Knox—Henry S. Cauthorn.
From the county of Kosciusko—John D. Thayer.
From the counties of Kosciusko and Fulton—Peter S. Troutman
From the county of Lagrange—William Prentiss.
From the county of Lake—Martin Wood.
From the county of Laporte—George H. Teeter.
From the county of Lawrence—William H. Edwards.
From the counties of Laporte and Starke—L. Dow Glazebrook.
From the county of Madison—Thomas M. Jones.
From the county of Marion—John J. W. Billingsley, Nathan Kimball, Edward T. Johnson and Edward King.
From the county of Marshall—Reason B. Eaton.
From the county of Monroe—Andrew W. Reeves.

From the county of Morgan—Harvey Satterwhite.
From the counties of Madison and Henry—John O Hardesty.
From the counties of Miami and Wabash—Cyrus V. N. Lent
From the counties of Morgan and Johnson—William S. Shirley.
From the county of Owen—Jesse H. Reno.
From the counties of Orange and Crawford—William M. Ellsworth.
From the county of Parke—John E. Woodard.
From the county of Perry—Gabriel Schmuck.
From the county of Pike—James Barker.
From the county of Porter—Theophilus Crumpacker.
From the county of Posey—James W. Whitworth.
From the connties of Putnam and Hendricks—Jesse S. Ogden.
From the county of Randolph—Nathan T. Butts.
From the county of Rush—Benjamin F. Tingley.
From the county of Shelby—Samuel D. Spellman.
From the county of Spencer—William Thompson.
From the county of Steuben—Eugenius B. Glasgow.
From the county of Sullivan—Stewart F. Coffman.
From the counties of St.Joseph and Marshall—Joseph Henderson.
From the counties of Switzerland and Ohio—Benjamin North.
From the county of Tippecanoe—James W. Cole and Elihu Hollingsworth.
From the county of Vanderburg—James D. Riggs and George Woolflin.
From the county of Vermillion—John Gronendyke.
From the county of Vigo—William K. Edwards.
From the county of Wabash—Carey E. Cowgill.
From the county of Warren—Richard G. Odle.
From the county of Warrick—Stephen D. Dial.
From the county of Washington—James Rudder.
From the county of Wayne—Wm. Baxter and Lewis C. Walker.
From the county of Whitley—Cyrus B. Tulley.
From the counties of White and Benton—Robert Gregory.

Those who were absent were :

From the counties of Bartholomew and Shelby—Stenson J. Barrett.
From the counties of Boone and Clinton—Marquis L. Martin.
From the county of DeKalb—Samuel S. Shutt.

From the county of Johnson—Thomas W. Woollen
From the counties of Jackson and Brown—James A. McKinney.
From the county of Miami—John W. Eward.
From the county of Montgomery—Jesse Y. Durham.
From the county of Noble—Henry C. Stanley.
From the county of Putnam—Weller B. Smith.
From the county of Ripley—Adam G. Hoyer.
From the county of St. Joseph—Wm. W. Butterworth.
From the county of Vigo—Patrick H. Lee.

On motion the House proceeded to the election of a Speaker by a *viva voce* vote.

Mr. Kimball nominated Hon. Wm. K. Edwards, Representative from Vigo county.

Mr. Richardson nominated Hon. Henry S. Cauthorn, Representative from Knox county.

Those who voted for Hon. Wm. K. Edwards were,

Messrs. Baxter, Billingsley, Branham, Broaddus, Butts, Cauthorn, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley) Wolflin, Wood, Woodard and Wynn—52.

Those who voted for Hon. Henry S. Cauthorn, were,

Messrs. Anderson, Baker, Barker, Blocher, Bowser, Brett, Buskirk, Claypool, Cline, Coffman, Dial, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Henderson, Isenhaur, Jones, McConnell, Offut, Peed, Pfrimmer, Reno, Richardson, Rudder Schmuck, Spellman, Shirley, Strange, Teeter, Tulley, Whitworth, Willard and Mr. Speaker—36.

Hon. Wm. K. Edwards having received a majority of all the votes cast, was declared duly elected Speaker of the House of Representatives for and during the present Legislature.

On motion the House proceeded to the election of Principal Clerk.

Mr. Kimball nominated Hon. Cyrus T. Nixon.

Mr. Richardson nominated Hon. E. M. Johnson.

Those who voted for Hon. Cyrus T. Nixon, were,

Messrs. Baxter, Billingsley, Branham, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Wilson (of Ripley), Wolflin, Wood, Woodard, Wynn, and Mr. Speaker—52.

Those who voted for E. M. Johnson, were,

Messrs. Anderson, Baker, Barker, Blocher, Buskirk, Bowser, Brett, Cauthorn, Claypool, Cline, Coffman, Dial, Eaton, Ellsworth, Given, Goble, Gregory, Heller, Henderson, Isenhauer, Jones, McConnell, Offut, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Spellman, Strange, Teeter, Tulley, Whitworth and Willard—36.

Hon. Cyrus T. Nixon having received a majority of all the votes cast, was declared by the Speaker duly elected Clerk of the House of Representatives.

On motion, the House proceeded to the election of Assistant Clerk.

Mr. Kimball nominated Moses G. McLain.

Mr. Richardson nominated George B. Tebbs.

Those who voted for Moses G. McLain were,

Messrs. Baxter, Billingsley, Branham, Broaddus, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty,

Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—52.

Those who voted for George B. Tebbs were,

Messrs. Anderson, Baker, Blocher, Brett, Buskirk, Cauthorn, Cline, Coffman, Dial, Eaton, Given, Glazebrook, Goble, Gregory, Heller, Henderson, Isenhauer, Jones, McConnell, Offut, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Spellman, Strange, Teeter, Tulley, Whitworth and Willard—35.

Moses G. McLain having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the House of Representatives.

On motion, the House proceeded to the election of a Doorkeeper.

Mr. Kimball nominated W. T. Lockhart.

Mr. Richardson nominated Frank M. Schell.

Those who voted for W. T. Lockhart were,

Messrs. Baxter, Billingsley, Branham, Broaddus, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolfiin, Wood, Woodard, Wynn and Mr. Speaker—52.

Those who voted for Frank M. Schell were,

Messrs. Anderson, Baker, Barker, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Eaton, Ellsworth, Given, Goble, Gregory, Heller, Henderson, Isenhauer, Jones, McConnell, Offut, Peed, Pfrimmer, Reno, Richardson, Rudder,

Schmuck, Shirley, Spellman, Strange, Teeter, Tulley, Whitworth and Willard—36.

W. T. Lockhart having received a majority of all the votes cast was declared duly elected Doorkeeper of the House of Representatives.

The Hon. Wm. K. Edwards, Speaker elect, Hon. Cyrus T. Nixon, Principal Clerk elect, Moses G. McLain, Assistant Clerk elect, and W. T. Lockhart, Doorkeeper elect, were sworn into office by Hon. Samuel H. Buskirk, one of the Judges of the Supreme Court of the State of Indiana, and entered upon their respective duties. Whereupon the Speaker made the following remarks:

Gentlemen of the House of Representatives:

The experience gained by the special session will aid in directing the proceedings of this regular session. The interests you represent are so closely interwoven with your own as to induce the careful and wise deliberation that the State demands. You have earnestly devoted time and attention, with industry, fidelity and ability to the trusts confided to your consideration. This is attended by the gratifying record you have made for efficiency. At this session there is comparatively no disturbing element—no question to embitter. Our personal acquaintance is better, our attachments are stronger, guided by enlightened reason, the observance of order, harmony, as before, will prevail, making our duties pleasant, and producing profitable results.

Allow me to thank you cordially for the honor of this re-election and to ask of you that which I must rely on—your forbearance and assistance—that I may discharge the several duties assigned me, aright, to the welfare of the State and to your approval.

Mr. Satterwhite offered the following resolution:

Resolved, That the Senate be informed that the House has organized by electing Hons. Wm. K. Edward, Speaker; Cyrus T. Nixon, Principal Clerk; Moses G. McLain, Assistant Clerk; W. Thomas Lockhart, Doorkeeper, and that the House is now ready to proceed to legislative business.

Which was adopted.

Mr. Wynn offered the following resolution:

Resolved, That the standing rules and orders for the government of the House of Representetives special session of 1872, and the same are hereby adopted for the government of the House of Representatives at the present regular session of 1873.

Which was adopted.

Mr. Crumpacker offered the following resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the Senate and House of Representatives meet in oint convention in the hall of the House of Representatives, on Wednesday next, at 2:30 o'clock p. m., for the purpose of electing such officers as are to be elected by this General Assembly.

Which was laid on the table.

Mr. Hatch offered the following resolution:

Resolved, That the daily meetings of this House shall be at 9 o'clock a. m. until otherwise ordered.

Mr. Shirley offered the following amendment: That the daily meetings of this House be at 9:30 o'clock, a. m.

Which amendment was adopted, and the resolution as amended was adopted.

Mr. Cobb offered the following resolution:

Resolved by the House of Representatives, the Senate concurring, that there shall be appointed by the House and Senate a joint committee consisting of three Senators and six Representatives, to which committee shall be referred all claims, which if allowed would properly be included in the specific appropriation bill, that may be presented to either the House or Senate, and after said claims have been acted upon by said committee, the chairman thereof or some other member which he may designate, shall report to each House their action thereon.

Which was adopted.

On motion of Mr. Gifford, the House adjourned until two o'clock p. m.

THURSDAY AFTERNOON.

JANUARY 19, 2 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The following members being absent at the organization of the House this a. m. appeared and were sworn into office by the Speaker, viz:

From the county of Johnson—Thomas W. Woollen.
From the counties of Jackson and Brown—James A. McKinney.
From the county of Putnam—Weller B. Smith.
From the county of Ripley—Adam G. Hoyer.
From the county of Miami—John W. Eward.

Mr. Heller offered the following resolution:

Resolved, That the thanks of the House of Representatives are hereby tendered to the Hon. Samuel H. Buskirk, of the Supreme court, for the services rendered by him this day in assisting to organize the House.

Which was adopted.

On motion of Mr. Heller, the House adjourned until to-morrow at 9:30 o'clock, a. m.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

JANUARY 10, 1873, 9.30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Elder W. F. Black, of Indianapolis.

The journal of yesterday was read and approved.

The following members, being absent at the organization of the House on yesterday, appeared and were sworn into office by the Speaker, viz:

From the county of St. Joseph—William W. Butterworth.
From the county of Montgomery—Jesse Y. Durham.
From the counties of Boone and Clinton—Marquis L. Martin.

Mr. Rumsey offered the following resolution:

Resolved, That in the reappointment of the standing committees, the same be enlarged in the discretion of the Speaker so as to divide the honors, responsibilities and labors.

Which, by rule of the House, was laid over until to-morrow.

Mr. Cauthorn offered the following resolution to amend rule 38:

38. That the following standing committees shall be appointed at the commencement of each session, to consist of as many members as, in the opinion of the Speaker, shall be calculated to facilitate and dispatch business.

Which, by rule of the House, was laid over until to-morrow.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has organized, by the election of the following officers thereof, to-wit:

For President, *pro tem.*—Hon. George W. Friedley, of Lawrence county.
For Secretary—D. H. Olive, of Boone county.
For Assistant Secretary—P. P. Culver, of Tippecanoe county.
For Doorkeeper—Archibald Anderson, of Lawrence county.
And that the Senate is now ready to proceed with Legislative business.

Satterwhite offered the following resolution:

ed, That a committee of three on the part of the House'

to act with a like committee of the Senate, be appointed to inform the Governor, that the regular session of the Legislature of 1873 has fully organized, and are ready to receive any communications he may desire to offer.

Which was adopted,

And the Speaker announced the following named gentlemen as such committee: Messrs. Satterwhite, Smith and Hatch.

Mr. Edwards, of Lawrence, offered the following resolution:

Resolved, That the Senate be invited to attend in the Hall of the House of Representatives, at 10 o'clock a. m., Saturday next, for the purpose of opening and publishing the election returns of the election for Governor and Lieutenant Governor, held on the second Tuesday of October, 1872.

Which was adopted.

Mr. Wolflin offered the following resolution:

Resolved, That the House of Representatives be furnished four copies of the Indianapolis Sentinel, and four copies of the Daily Telegraph (German,) and three copies each of the above mentioned newspapers be wrapped and stamped for use of the members.

Mr. Baker offered the following amendment: Amend to read also to include two copies of the German weekly Volksblatt.

Mr. Hedrick offered the following substitute to the resolution:

Resolved, That the Doorkeeper be and is hereby authorized to contract with the publishers of the morning Journal and daily Sentinel for one copy of each to be furnished to each member of the House and one copy of each for the Clerk, Assistant Clerk, and Doorkeeper.

Mr. Tayer moved the previous question.

Which motion prevailed.

The question being shall the substituted resolution offered by Mr. Hedrick be adopted.

Whereupon Messrs. Thayer, and Goble demanded the ayes and noes.

No one voting in the affirmative.

Those who voted in the negative were Messrs. Baker, Barker, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth Butts, Cauthron, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasglow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Smith, Spellman, Strange Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley,) Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—91.

So the resolution was not adopted.

The question being, shall the amendment offered by Mr. Baker, be adopted.

It was not adopted.

The question being, shall the resolution offered by Mr. Wolflin, be adopted.

Whereupon the ayes and noes were demanded by Messrs. Hedrick and Thayer.

Those who voted in the affirmative were, Messrs. Pfrimmer, and Troutman—2.

Those who voted in the negative were, Messrs. Barker, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lanfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno,

Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Tulley, Walker, Wesner, Whitworth, Willard, Wilson(of Blackford,) Wilson (of Ripley,) Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—87.

So the resolution was not adopted.

Mr. Cauthorn offered the following resolution:

Resolved, That the compensation of members of the General Assembly fixed by the act of the Special Session of 1872, is in full of all claims of every kind whatever for services as such members and allowances for stationery and other incidentals were intended by said act to be cut off in future.

The question being, shall the resolution be adopted.

Whereupon Messrs. Cauthorn and McConnell demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkparick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Ogden, Prentiss, Reeves, Reno, Riggs, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tuiley, Walker, Wesner, Whitworth, Willard, Willson (of Ripley,), Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—83.

Those who voted in the negative were, Messrs. Baker, Buskirk Heller, Isenhauer, Peed and Primmer—6.

So the resolution was adopted.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Repre-

sentatives that the Senate has concurred in the resolution of the House, providing for the appointment of a committee to wait upon his Excellency, the Governor, to inform him of the organization of the General Assembly.

And that the Senate has appointed as such committee, Senators Haworth, Williams and Steele.

The Speaker laid before the House a communication from the Secretary of State, accompanied with House Act No. 227, which was filed in the office of the Secretary of State, with the objection of the Governor, and on motion of Mr. Hardesty, the same was laid on the table and made a special order for 2 o'clock, Thursday next.

Mr. Satterwhite, chairman of the select committee appointed by the House to wait upon the Governor and inform him of the organization of the same, submitted the following report:

MR. SPEAKER:

The committee who was appointed to wait on the Governor and inform him of the organization of this House for the regular session of 1873, have performed that duty, and the Governor has signified his intention to deliver his message to both Houses in joint session to-day at 2:30 o'clock p. m.

SATTERWHITE,
SMITH,
HATCH, } Com.

Which report was concurred in.

Mr. Mellett offered the following resolution:

Resolved, That the Senate be invited to meet the House of Representatives in the Hall of Representatives in Joint Convention this day at 2 o'clock p. m., for the purpose of hearing the message of the Governor.

Which was adopted.

Mr. Gregory was granted leave of absence until next week.

Mr. Offut was granted leave of absence until Monday next.

On motion of Mr. Furnas, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION

The House met pursuant to adjourment with the Speaker in the chair.

The following message was received from the Senate by the Secretary thereof :

MR. SPEAKER :

I am directed by the Senate to inform the House of Representatives, that the Senate has accepted the invitation to meet in the hall of the House of Representatives at 2½ o'clock p. m. to hear any communication his Excellency the Governor may wish to deliver.

Mr. Tulley moved that a committee of two be appointed by the Speaker to inform the Senate, that the House is ready to receive the members of the Senate and that said committee conduct them to the hall of the House.

Which motion prevailed.

Whereupon the Speaker appointed the following gentleman as such committee : Messrs. Tulley and Cauthorn.

JOINT CONVENTION.

The Senate then in pursuance of the invitation of the House came into the hall of the House preceded by the President of the Senate, and were seated on the right of the Speaker, when the Joint Session was called to order by the Hon. George W. Friedley, President *pro tem.* of the Senate.

The President *pro tem.* then said :

Gentlemen of the Senate and House of Representatives :

We have assembled in Joint Convention for the purpose of hearing the biennial address of the Governor of the State.

Whereupon his Excellency, Governor Conrad Baker delivered the following message :

Gentlemen of the Senate and House of Representatives:

The hope expressed at the close of the address delivered to you at the commencement of the late special session, that your deliberations during that session might be characterized by harmony and be fruitful of good legislation, I am happy to say, was realized. Since my connection with public affairs, I have never witnessed a session of the General Assembly in which a more intelligent appreciation of duty was manifested; and in point of industry the late session, in my judgment, excelled any of its predecessors. This will not be understood as an idle compliment on the one hand, or as unqualified indorsement of every act that was passed at the late session on the other. In welcoming you for the last time to this seat of legislation, I sincerely congratulate you in view of what you have already accomplished, and trust that during your present session you will be guided by that wisdom which cometh from above, and which is profitable to direct.

STATE DEBT AND STATE FINANCES.

The foreign debt of the State outstanding at this time (January 10, 1873), may be thus stated, viz:

Amount of five per cent. State stocks issued under the adjustment of 1847	$32,869 99
Amount of two and a half per cents	4,060 13
Amount of war loan bonds issued under legislation of 1861, still outstanding	139,000 00
Making together	$175,930 12

To the above, however, must be added amount of old bonds issued prior to 1841, the payment of which is provided for by the act approved December 12, 1872, including the interest accrued thereon.

The principal of these old bonds can not exceed	$191,000 00
Adopting the most unfavorable rule for the State that can be claimed, the interest up to this time can not exceed	378,000 00
Estimated amount of old bonds issued prior to 1841,	$569,000 00

RECAPITULATION.

Amount of five and two-and-a-half per cent. and war loan bonds still outstanding, as before stated.....	$175,930 12
Add estimated amount of old bonds, as above.....	569,000 00
Total foreign debt ascertained and estimated.....	$744,930 12
The domestic debt of the State now consists of non-negotiable bonds of the State issued to its own school fund, amounting to.....	$3,905,906 25
Total debt, foreign and domestic.....	$4,650,830 37
There is at this time in the State Treasury the sum of	499,268 44
There is at this time in the hands of the Agent of State.....	108,475 40
Total cash on hand.....	$607,743 84
Add proceeds of State tax of 1872, not yet collected, estimated at.....	350,000 00
Amount available for State purposes for the year commencing November 1, 1872, and ending October 31, 1873.....	$957,743 84
The expenditures for the same year are estimated as follows, viz:	
For expenses of the present session of the General Assembly.....	$100,000 00
Other expenditures including ordinary expenses of the State government, benevolent institutions, reformatories, prisons, interest on domestic debt, and on War Loan Bonds, etc., etc., upon the supposition that these expenditures will not exceed those of 1872.....	$785,388 00
Total estimated expenditures.....	$885,388 00
Amount available for State purposes for 1873, as above stated.....	957,743 84
From this deduct estimated expenditures.....	885,388 00
Leaving only a balance of.....	$72,355 84

If immediate provision be made, as in my judgment there should be, for the enlargement of the House of Refuge, and the Institution for the Education of the Blind, and for the completion of the Female Reformatory, the above balance will not only be exhausted, but a deficiency will be created of over $100,000. It must be remembered that the act providing for the payment of the old bonds already mentioned, may add a considerable sum to this deficiency; and it is possible that the 5 and 2½ per cent. stocks still outstanding to the amount of $36,930.12, or some considerable part thereof may be presented for redemption during the current year, and if so, they must be paid.

In view of all this, and of the pressing demand that exists for making increased provision for the insane, it will be necessary in my judgment to levy a State tax for each of the years 1873 and 1874, of fifteen cents on the $100 of the taxables of the State. The collection of the revenue of 1873, will also have to be anticipated by a temporary loan, and the commencement of a new Hospital for the Insane will probably have to be deferred until the revenue of 1873 can be made available.

SINKING FUND.

Two years ago I recommended that the Auditor of State be relieved from the duty of acting as the Treasurer of the Sinking Fund by providing for the transfer of the moneys and effects belonging to that fund to the care and custody of the Treasurer of the State, so that the State might have one treasury instead of two. The moneys and effects belonging to the Sinking Fund are now so reduced that there can be no valid objection to such a transfer. They are, as I am informed by the Auditor of State, as follows, viz:

Cash on hand	$3,935 22
Due from the State to the fund on divers loans, including interest thereon to February 1, 1873	35,631 73
Bills receivable	50,000 00
Interest on last item	1,800 00
Mortgage loans	21,024 53
Total	$112,391 48

I recommend that the cash and effects of the Sinking Fund

above mentioned be transferred to the State, and constitute a part of the general fund of the State Treasury, and that the State issue a non-negotiable bond to the school fund for the amount bearing interest at six per cent., payable semi-annually.

ATTORNEY GENERAL.

The duties and responsibilities of the Attorney General ought to be greatly enlarged, to the end that his office may be increased in usefulness in a corresponding degree. Under existing legislation that officer may reside at the most distant point in the State from the capital, and is not required to have an office or a deputy at Indianapolis. The compensation he receives is such as to preclude the idea that he should give much of his time to the business of the State, and the result is that such business as naturally falls within the scope of his office must be either neglected or intrusted to other lawyers at an expense greater for each year than would be expended if an adequate salary were allowed to justify and require the residence of the Attorney General at the capital, and the giving of his whole time to the duties of the office. I therefore respectfully recommend that the law governing the office of the Attorney General be so remodeled as to make the following provisions, viz:

First. That the Attorney General be required to reside at the State Capital and keep an office there, and that he shall on all business days, during business hours, be at said office in person or by deputy, except when he shall be engaged in court or elsewhere in the service of the State.

Second. Requiring him to attend to the State's interests in all actions in which the State is interested (criminal prosecutions excepted,) whether the State shall be a party to such actions or not, and authorizing the Governor or a majority of the other State officers, to direct the Attorney General to perform such duty in any particular case.

Third. Requiring the Attorney General to give his legal opinion to the Governor, whenever requested so to do, touching any question or point of law in which the interests of the State may be involved, and to any other State officer, touching any point or question of law concerning the duty of such officer. Also, to either House of the General Assembly as to the constitutionality of any existing or proposed law, whenever requested so to do by resolution of such House.

Fourth. Giving the Attorney General a supervisory care over all the prosecuting and district attorneys throughout the State, and requiring the latter to report to the former, at stated periods all fines assessed and recognizances forfeited in the several courts within their respective circuits and districts, and requiring the Attorney General to keep a record of all such fines and forfeitures alphabetically arranged by counties, and of the steps taken from time to time for the collection thereof. Also, requiring such prosecuting and district attorneys to report to the Attorney General from time to time the statistics of crime and criminal prosecutions, and of divorces granted and refused by the several courts in their respective circuits and districts.

Fifth. Requiring the Attorney General to report annually to the Secretary of State the statistics thus collected.

Sixth. Authorizing the Attorney General upon the direction of the Governor to appear as the prosecuting officer of the State in any criminal prosecution in any court within the State, and to assume charge of such prosecution either with or without the assistane of the circuit or district prosecutor, and to prosecute the same for and on behalf of the State.

The necessity of some such provision as the one last mentioned is manifest, when it is remembered that the Constitution of the State makes it the duty of the Governor "to take care that the laws be faithfully executed," but so far as executing or aiding in executing the penal laws through the courts is concerned, he is under existing legislation, left without means to perform this constitutional duty. If a mob should defy the laws of the State and execute lynch law on any portion of its citizens, the Governor may call out the power of the State to suppress the violence and restore order. But when this is accomplished the prosecution of such violators of the public peace can only be carried on through the local prosecuting officers, although these officers may be in sympathy with or in fear of the very men to be prosecuted. In such cases, and in many others, which might be instanced, the Governor, to enable him to obey the constitutional injunction before mentioned, ought to have the power to direct the chief law officer of the State to appear in any court and assume the prosecution of any person charged with crime against the laws of the State.

Of course the changes above indicated would necessitate a very considerable increase in the salary of the Attorney General, but

this would be compensated fifty-fold by the increase of the school fund, by the collection of fines and forfeitures that are lost to the State under the present system. The opinion of the Attorney General should also be required to be given to the Governor as to the propriety or impropriety of remitting each fine and forfeiture for the remission of which application may be made.

BUREAU OF STATISTICS.

In this connection, I desire to call your special attention to the necessity for the establishment of a Bureau of Statistics, in connection with the Secretary of State's office. The Governor, and other State officers are, every year and sometimes many times in a year, called upon for statistical information by the different departments of the General Government, and by the governments of foreign countries, on some or all of the subjects usually embraced within the operations of such a Bureau, and are subjected to the mortifying necessity of being compelled to reply that Indiana collects no statistics, and can, therefore, impart no statistical information. It is as preposterous, in this age of the world, to attempt to legislate wisely and well for a State and its inhabitants without full statistical information, as it would be to conduct extended business operations without keeping an account of bills payable and receivable. I therefore recommend the establishment of a Bureau of Statistics, under the supervision of the Secretary of State, and that provision be made in connection therewith for encouraging immigration by publishing such statistical information as will make known the resources and advantages which this State offers to those in search of homes.

The office of Secretary of State, I will here suggest, ought to be reconstructed by dividing it into Bureaus, and allowing an increase of clerical force.

EDUCATION OF FEEBLE-MINDED AND IDIOTIC CHILDREN.

There is also an urgent necessity for the establishment of a school for the education of idiotic and feeble-minded children. The success of such institutions in other States places their utility beyond doubt. I would recommend the inauguration of an experimental school at a small cost in the first instance, as was done in Illinois, feeling assured that the experiment would soon demonstrate, as it did in that State, the necessity of a permanent institution for the

class of children just mentioned. A bill was matured two years ago, but was not passed, and I understand that substantially the same bill was again introduced at the special session, and is now pending. I trust it will become a law before your session shall close. Before dismissing the subject, I desire to call your attention to the fact, that the Institution for the Education of the Deaf and Dumb has a tract of land containing about thirty-six acres situated south of the Michigan road, which is not now and can not be in the future, necessary for the purposes of that Institution, the same being seperated from the grounds on which the buildings of the Institution stand by several railroad tracks. I am informed that this land, if sold for one-fourth cash and the residue in four equal annual payments, with interest at six per cent., would bring $75,000. I know of no better purpose to which the proceeds of the surplus lands of the Institution for the Deaf and Dumb could be applied than to the foundling of an institution for the education of idotic and feeble-minded children. I therefore recommend that authority be given to the trustees of the Institution of the Education of the Deaf and Dumb to sell the land before mentioned on the terms above indicated, and that said trustees before making any sale be required to advertise for sealed bids for the land, such bids to be opened in the presence of the Governor, and the sale to be subject to his approval. I further recommend that a portion of the proceeds be applied, first, to the opening of an experimental school, and that ultimately the residue of such proceeds, if the experiment shall be successful, be applied to the establishment of the institution on a permanent foundation.

EDUCATION.

I have not had an opportunity to examine the report of the Superintendent of Public Instruction, but as it will soon be printed and laid upon your tables, you will have ample opportunity to inform yourselves of the progress which our system of public schools has made during the last two years. I am gratified to be able to say, however, that one marked evidence of progress is the fact that the average school term has, since 1867, been prolonged thirty-three days in the year, and that more than half of this increase in the length of the school year occurred in 1872. I commend the common school system to your fostering care, feeling assured that popular education is a necessary safeguard of free institutions.

AGRICULTURAL COLLEGE.

I call your special attention to the fact that the time limited by Congressional legislation for the putting in operation of a college devoted to the teaching of such branches of learning as are related to agriculture and the mechanic arts, expired in July last, and the college not being opened, the State, by the letter of the law, has forfeited the grant, and is liable to be called upon by the General Government to refund the amount received. There is no probability that such a demand will be made, but it is highly important that the General Assembly should memoralize Congress to waive the forfeiture and grant further time to the Trustees of Purdue University in which to put the college in operation. I therefore recommend that a joint resolution be passed, asking Congress to waive the forfeiture and grant further time for the opening of the college.

CONSTITUTIONAL AMENDMENT.

The proposed amendment to the Constitution of the State, inhibiting the General Assembly from ever recognizing or assuming the Wabash and Erie Canal debt as a charge upon the treasury of the State having passed two successive General Assemblies, is now in a condition to be submitted to the people for ratification whenever provision shall be made by law for such submission.

Being still deeply impressed with the necessity and importance of calling a convention of the people at an early day to revise the Constitution of the State, I respectfully submit the following recommendations in relation to the submission of the proposed amendment to the people for ratification, and also in relation to the calling of a convention to make a thorough revision of the constitution; that is to say: Let an act or acts be passed making the following provisions, viz:

First. For submitting said proposed amendment to the people for ratification, at an election to be held on the second Tuesday in October, 1873.

Second. Providing further for the election, at the same election, of delegates to a constitutional convention to revise the constitution.

Third. Providing still further, that at the same election the question whether a constitutional convention shall be convened or

not, shall be submitted to a direct vote of the people, and that if a majority of all the votes cast on the question at such election shall be in favor of the calling of a convention, then the convention shall meet as may be provided for in the act, but that if a majority of said votes shall be against a convention, then no convention shall meet in pursuance of the provisions of the act, and the election of delegates shall, by reason of such adverse vote, become null and void.

By this plan the expense of but one election would be incurred, and yet all the questions involved would be submitted to and decided by the qualified electors of the State.

CENTENNIAL CELEBRATION OF AMERICAN INDEPENDENCE.

I herewith respectfully submit the report of the Commissioners for Indiana appointed upon my recommendation by the President of the United States, in pursuance of an act of Congress, approved May 3, 1871, and entitled "An act to provide for celebrating the one hundredth Anniversary of American Independence by holding an International Exhibition of Arts, Manufactures, and Products, of the soil and mine in the city of Philidelphia, and State of Pennsylvania, in the year eighteen hundred and seventy-six." I commend the report to your attentive consideration, and trust nothing will be left undone which ought to be done to enable Indiana to contribute her full share towards the work of making the Exposition a success. I hope the bill which passed the House at the late session, and is now pending in the Senate in relation to this Celebration, will be speedily passed.

MEMORIAL OF THE AMERICAN WOMAN SUFFRAGE ASSOCIATION.

I submit herewith at the request of sundry good citzens of this State, their petition presenting the acompanying memorial of "The American Woman Suffrage Association," and requesting the General Assembly to fix a time when such persons as may be selected for the purpose by said Association, shall receive from you a patient and respectful hearing on the propositions contained in the memorial. I cordially join in the request of the petitioners, and add that the propositions contained in the memorial are in themselves worthy in my judgment of the most thoughtful consideration of the American Statesman.

For my own part I am willing to give my vote and influence in favor of conferring the right of suffrage on the women of Indiana whenever they shall with any considerable degree of unanimity signify a desire to assume the responsibilities which such a change in their relations to the State would impose.

REFORMATORY FOR WOMEN AND GIRLS.

I beg leave to again call your attention to the unfinished condition of the Indiana Reformatory for women and girls, and to urge the passage of the bill which passed the House at the late session, and is now pending in the Senate, in relation thereto. A bill of which this is a copy received the sanction of the proper committees two years ago, and the passage of the pending bill was recommended by the Senate committee at the late special session. The debt due on account of the construction of the building ought to be paid without further delay, and the building should be completed, and the female prisoners now in the State prison at Jeffersonville ought to be removed to the Reformatory at the earliest practicable time.

STATE GEOLOGIST.

I again call your attention to the great importance of more liberal appropriations to the Department of Geology and Natural Science established in connection with the Indiana State Board of Agriculture. That department has assuredly fulfilled all the just expectations that were formed concerning it, notwithstanding the disadvantages under which it has continuously labored ever since it had an existence. The rooms of the State Geologist are too circumscribed for the accommodation of the constantly increasing business of the department, and his salary is inadequate for the support of his family, much less to compensate him for the arduous labors and varied learning required by the position.

I trust that these deficiencies will be remedied and that provision will be made for the completion at an early day of the geological survey of the entire State.

WASHINGTON NATIONAL MONUMENT.

I herewith respecfully submit, at the request of His Excellency, Joel Parker, Governor of New Jersey, a copy of an act of the Legislature of that State, making an appropriation to aid in the com-

pletion of the Washington National Monument, at Washington City, on certain conditions named in the act. I also submit Gov. Parker's letter to myself transmitting said copy, the object being as I suppose to procure a like appropriation from this State.

JOINT RESOLUTION OF THE GENERAL ASSEMBLY OF OHIO.

In February, 1871, and just after the session of the General Assembly of that year had terminated, I received a communication from his Excellency, R. B. Hayes, Governor of Ohio, transmitting to me a joint resolution of the General Assembly of the State of Ohio in relation to the construction and maintenance of the Wabash and Erie Canal within the State of Indiana, and requesting me to communicate the same to the General Assembly of this State. I accordingly herewith submit for your consideration the said joint resolution, with the letter of Gov. Hayes transmitting it to me.

I beg leave to say that the Ohio joint resolution assumes the making of a compact or stipulation by Indiana to or with Ohio that Indiana would perpetually keep in repair and in good navigable order, so much of the Wabash and Erie Canal as is situated in Indiana, and calls upon this State to perform the supposed compact. The answer to this complaint is, that the assumption that such a compact ever existed or was made by Indiana, is unsupported by the facts. No such compact ever was made by Indiana with Ohio. The agreement made in 1829, by Jeremiah Sullivan on the part of this State, and Wyllys Silliman on the part of Ohio, recited in the Ohio joint resolution, never was ratified by either of said States, and, therefore, never took effect or became binding on said States, or either of them. The only agreement or arrangement of any kind between the two States is that contained in the joint resolution of the General Assembly of Indiana, of February 1, 1834, and in the acceptance of the arrangement proposed thereby by the joint resolution of Ohio, passed February 24, 1834. By the Indiana joint resolution, this State relinquished and conveyed to the State of Ohio certain lands ceded to this State by Congress, in consideration and on condition that Ohio should construct and keep in repair a canal from the Ohio and Indiana line to a point as low down the Maumee river toward Lake Erie as the towns of Maumee and Perrysburgh, and in consideration that Ohio should perform divers other stipulations contained in the Indiana joint

resolution. Ohio, by her joint resolution of February 24, 1834, accepted the terms of the Indiana joint resolution, and the two joint resolutions contain the only contract made between the two States. This contract was wholly an executed contract on the part of Indiana, and executory on the part of Ohio; and it was impossible for Indiana ever to be guilty of a breach of the contract, because it was wholly executed, so far as she was concerned, the moment it was made. I therefore recommend the passage of a joint resolution, in response to the Ohio joint resolution of February 21, 1871, respectfully denying the existence of any such compact as the one of the supposed breach of which she complains.

DONATION OF LAW BOOKS TO CHICAGO LAW INSTITUTE.

In the fall of 1871, and after the great fire of Chicago, the Judges of the Supreme Court with my full concurrence, sent a full set of Indiana Reports, the property of the State, to the Law Institute of Chicago, that Association having lost its library by the fire. I also added to the contribution a set of Indiana Statutes (Gavin & Hord) consisting of three volumes. The books were all sent to Hon. S. B. Gookins, now of Chicago, but formerly one of the Judges of our own Supreme Court, and were received with the understanding that they would be returned to the Judges of the Supreme Court, unless the General Assembly should sanction their retention by the Law Institute of Chicago, as a donation to its library in view of the great loss it had sustained by the fire. I herewith submit a copy of Judge Gookins' letter to Judge Downey, acknowledging the receipt of the books and stating the conditions on which they are held by him.

I respectfully ask that a joint resolution may be passed sanctioning the retention of said books by said Law Institute as a contribution to its library by the State in view of the loss before mentioned.

LEGISLATIVE PRACTICE.

The kindness with which you receive, and the promptness with which you adopted a few suggestions I made in my last message in relation to the journals of the two Houses, encourages me to call your attention to another matter of legislative practice, in which there is great need of improvement. I allude to the titles of many of the bills that are passed from time to time. The impres-

sion seems to prevail that because the Constitution has declared "that every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title," it therefore follows that the titles of bills must be longer than was necessary before such a provision existed. Such an impression is altogether incorrect. The principal subject, or one of the principal subjects of the act, should be briefly expressed in the title, and, this being done, every matter properly connected with the one so expressed, can be provided for without being alluded to in the title. Such phrases as the following are always unnecessary and, therefore, inelegant and improper in the titles of bills, viz: "And to declare an emergency," "and to repeal all laws inconsistent therewith," "and matters properly connected therewith," etc., etc. A very cursory examination of our legislation for years past, not excluding that of the late special session, will satisfy you how sadly our legislative literature is marred by the singularly grotesque, inelegant and almost interminable titles that are too often prefixed to bills. Not a few of these bills were signed by me as approved, but I want it distinctly understood that I reserve the right to protest agaist such titles. The title of one of them passed at the late special session, contains one hundred and sixty words, when a perfect title could have been framed in fifteen words. It is almost impossible to amend an act with such a title, so as to make the amendatory act and its title intelligible. I suggest the propriety of having a joint commitee, whose duty it shall be to supervise the titles of bills, so that our statute books in the future may not be deformed by such titles as those to which allusion is made.

INTEMPERANCE.

The intelligent legislator can not close his eyes to the fact that the intemperate use of intoxicating liquors is fearfully prevalent, and that it is the fruitful source of pauperism and crime, of social disorder and domestic wretchedness. Nor can it be doubted that much the larger share of this intemperance is caused by the existence of the numerous places where public tippling is practiced and encouraged for pecuniary gain, under the auspices of the State. While it must be conceded that men can not be made virtuous by statutory enactments, it does not follow that schools of vice and nurseries of crime ought not to be restrained or suppressed to that extent to which public opinion will sustain and execute the laws

made for that purpose. As Mr. Lincoln said of slavery, so say I of tippling houses, namely: If they are not wrong, then nothing is wrong. Every existing wrong can not, however, be overthrown in a day by a mere act of legislative authority, but it does not follow from this that nothing is to be done looking or tending toward such overthrow. The legislation of the State should on this subject keep pace with public opinion, and it would be better to have the law a little in advance of public opinion than to have it lag far behind. Good laws aid in the formation of a healthy public opinion, just as an enlightened public opinion aids in the formation and execution of good laws. I do not believe in the existence of the power or in the expediency of enacting sumptuary laws, but a law which restrains or suppresses one tippling house or all the tippling houses in the State, attempts to regulate no man's expenditures, nor does it prescribe what he shall eat or what he shall drink, or wherewithal he shall be clothed. In one set of public schools we educate the children and youth of the State, at the expense of the State, for the performance of the duties of American citizenship. In another set of public schools, over which mammon presides and in which the State is a partner, we authorize their proprietors to undo what the first have done or are doing, and to unfit every citizen who will yield to their influence for the performance of these same duties of American citizenship. No man who has any faith in human progress can believe that this State of affairs can or will always last. The enlightened statesman, remembering that in a republic public opinion is the foundation of the laws as well as the mainspring of their execution, will ask himself not only what is right, but what is practicable under existing circumstances, and will legislate for the right without defeating his own intentions by attempting the impracticable. You are fresh from the ranks of the people, assembled from all parts of the State, and are much better acquainted with public opinion than I am, and should, in my judgment, legislate for the restraint and diminution of public tippling houses to the highest point that the existing state of public opinion will sustain, so that (as Mr. Lincoln on another occasion said of slavery) the public mind may confidently rest in the belief that they are in process of ultimate extinction. In my opinion public drunkenness ought to be declared a misdemeanor by State law, and punished accordingly.

PARDONS.

I herewith respectfully submit pursuant to the requirements of the Constitution a report showing all reprieves, commutations and pardons granted, and another showing all fines and forfeitures remitted since the previous report made to the last General Assembly two years ago. After no inconsiderable thought and experience in relation to the exercise of the pardoning power, I am satisfied that the Governor ought to be authorized by law to issue revocable pardons, so that the person pardoned may be put upon his good behavior, and if he relapses into vicious ways, returned to the prison to serve out the residue of his sentence. Similar legislation should be adopted as to prisoners confined in the county jail for the non-payment of fines, to the end that they may be discharged from imprisonment conditionally, without a remission of their fines, and if they prove unworthy of the favor shown them, the discharge may be countermanded, and they may be returned to prison. Bills have been prepared and are now pending, intended to give effect to these views, and I feel confident that their passage would inaugurate not merely a change, but a reform.

CONCLUSION.

And now, having performed the duty for which we assembled, I desire to express to you my grateful acknowledgments for the uniform kindness with which you have treated me; to return through you to the people of the State my profound thanks for the marks of confidence which they have more than once bestowed upon me, and to invoke the choicest benedictions of the Good Father upon our beloved State now and at every step in her future progress.

The business for which the joint convention was convened having been concluded, the President *pro tem.* of the Senate declared it adjourned without day.

Mr. Baker offered the following resolution :

Resolved, That five thousand copies of the Governor's message, just read to the General Assembly, be printed, and that each member of the House of Representatives be furnished with ten copies; fifteen hundred copies to be printed in German.

Which resolution was adopted.

On motion of Mr. Lenfesty the Governor's message was referred to the committee of the whole House, and made a special order for Wednesday next, at 2 o'clock p. m.

Mr. Hardesty introduced House bill No. 268—a bill appropriating $100,000 to defray the expenses of the forty-eighth regular session of the General Assembly of the State of Indiana.

Which was read a first time.

Mr. Hardesty moved that the constitutional rule be suspended, have the bill read a second time by its title, a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Billingsley, Blocher, Bowser, Broaddus, Butterworth, Clark, Claypool, Cobb, Crumpacker, Ellsworth, Eward, Gifford, Goble, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Hoyer, King, North, Odle, Peed, Prentiss, Reeves, Riggs, Scott, Thompson (of Spencer), Willson (of Ripley), Wolflin and Wood —33.

Those who voted in the negative were, Messrs. Barker, Branham, Brett, Buskirk, Cauthorn, Cline, Coffman, Dial, Durham, Eaton, Furnas, Given, Glasgow, Glazebrook, Goudie, Gregory, Heller, Isenhauer, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, Ogden, Pfrimmer, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Spellman, Strange, Teeter, Tingley, Thompson (of Elkhart), Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—50.

So the constitutional rule was not suspended.

On motion by Mr. Cauthorn, the bill was referred to the Committee on Ways and Means.

The following message was received from the Senate by the Secretary thereof.

Mr. Speaker:

I am directed by the Senate to inform the House of Represen-

tatives that the Senate has accepted the invitation of the House to meet in the Hall of the House of Representatives on Saturday next, at 10 o'clock, a. m., for the purpose of opening and publishing the election returns for Governor and Lieutenant Governor, held on the second Tuesday of October, 1872.

On motion by Mr. Tulley, the House adjourned until to-morrow morning at 9:30 o'clock, a. m.

This journal was read in the hearing of the Committee and found to be correct.

W. K. EDWARDS, Speaker.

SATURDAY MORNING.

JANUARY 11, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when on motion by Mr. Mellett, the further reading of the same was dispensed with.

Stinson J. Barrett, Representative from the counties of Bartholomew and Shelby, being absent at the orgnization of the House on Thursday, January 9, 1873, appeared and was sworn into office by the Speaker.

Mr. Lenfesty offered the following resolution:

Reeolved by the House of Representatives, the Senate concurring, That the House of Representatives and Senate meet in Joint Session in the Hall of this House immediately after the vote for Governor is counted to-day, for the purpose of electing one President of the Board of Commissioners of Benevolent Institutions, one Trustee of the Blind Asylum, one Trustee of the Deaf and Dumb Asylum, one Trustee of the Insane Asylum, one Canal Trustee, one State Librarian, three Directors State Prison, South, three Directors State Prison, North, one Trustee for the Soldiers' Home.

Mr. Satterwhite moved to amend by fixing the time at 2 o'clock this afternoon, which amendment was accepted.

Which amendment was adopted.

And the resolution as amended was then adopted.

The following communication was received from the Secretary of State:

STATE OF INDIANA,
OFFICE OF SECRETARY OF STATE,
INDIANAPOLIS, January 9, 1873.

To the Speaker of the House of Representatives:

SIR: I have the honor to transmit herewith, in conformity with the provisions of section forty-seven of the act of June 7, 1852, ninety-eight communications addressed to the Speaker of the House of Representatives, care of Secretary of State.

Very respectfully,

JOHN H. FARQUHAR,
Secretary of State.

By O. M. EDDY, Deputy.

The Speaker appointed Messrs. Baker and North a committee of two to inform the Senate that the House was ready to receive the members of the Senate to witness the count of the votes for Governor and Lieutenant-Governor of the State of Indiana, and to conduct the members of the Senate to the hall of the House.

JOINT CONVENTION.

The Senate then, in pursuance of the invitation of the House, came into the hall of the House, preceded by the President *pro tem.* of the Senate, when the joint convention was called to order by the President *pro tem.* of the Senate.

The President *pro tem.* of the Senate then said:

GENTLEMEN: We have assembled in joint convention under the provisions of section four, article five, of the Constitution of the State of Indiana, which reads as follows:

Section 4. In voting for Governor and Lieutenant-Governor, the electors shall designate for whom they vote as Governor, and for whom they vote as Lieutenant-Governor The returns of every election for Governor and Lieutenant-Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.

The Speaker of the House of Representatives will now proceed to open and publish the returns for the election of Governor and Lieutenant-Governor of the State of Indiana.

Whereupon Hon. Wm. K. Edwards, Speaker of the House of Representatives said:

Gentlemen of the Senate and House of Representatives:

Pursuant to the fifth article of the Constitution of this State, and as prescribed by the forty-seventh section of an act entitled, "An act regulating General Elections and prescribing the duties of officers in relation thereto", approved June 7, 1852. I shall now open and publish in the presence of both Houses of the General Assembly the returns of the General Election for Governor and Lieutenant-Governor, held on the second Tuesday in October A. D 1872, which were sealed up and transmitted to the seat of Government directed to the Speaker of the House of Representatives.

The Speaker of the House of Representatives, then in the presence of both Houses of the General Assembly, proceeded to open the returns.

Abstract of votes cast for Governor and Lieutenant-Governor of the State of Indiana, Oct. 9, 1872, as counted and compared in the House of Representatives, January 11, 1873.

COUNTIES.	FOR GOVERNOR.				FOR LIEUTENANT-GOVERNOR			
	Thomas A. Hendricks.	Thomas M. Browne	Samuel Falkenburg	Alf'd P. Edgerton.	John R. Cravens.	Leonidas Sexton.	Wm. H. Kendrick.	Green Durbin.
Adams	1511	673	.....	4	1470	672	.....	33
Allen	6376	3423	.....	14	6345	3449	.....	16
Bartholomew	2652	2109	.....	4	2650	2097	.....	5
Benton	676	800	.....	.....	669	805	.....	.....
Blackford	789	687	.....	5	782	687	.....	.....
Boone	2800	2968	.....	.....	2791	2974	.....	.....
Brown	1166	467	.....	.....	1159	469	.....	.....
Carroll	1967	1907	.....	6	1960	1914	.....	6
Cass	2996	2555	.....	39	2952	2570	.....	28
Clarke	3065	2375	.....	.....	3051	2380	.....	.....
Clay	2376	2550	.....	1	2362	2548	.....	1
Clinton	2322	2027	.....	.....	2323	2030	.....	.....
Crawford	1217	1092	.....	2	1213	1090	.....	2
Daviess	1952	1891	.....	.....	1949	1891	.....	.....
Dearborn	3122	2014	.....	.....	3109	2013	.....	.....
Decatur	2122	2284	.....	1	2102	2282	.....	1
De Kalb	1918	1886	.....	13	1924	1884	.....	15
Delaware	1557	2743	.....	1	1547	2759	.....	1
Dubois	2086	573	.....	.....	2084	574	.....	.....
Elkhart	2903	2989	.....	.....	2900	2996	.....	.....
Fayette	1133	1401	.....	.....	1127	1440	.....	.....
Floyd	2861	1877	.....	.....	2848	1884	.....	.....
Fountain	2161	1932	.....	.....	2163	1933	.....	.....
Franklin	2819	1449	.....	.....	2790	1465	.....	.....
Fulton	1445	1306	.....	.....	1441	1309	.....	.....
Gibson	2148	2053	.....	.....	2144	2055	.....	.....
Grant	1821	2532	.....	.....	1816	2528	.....	.....
Green	2155	2122	.....	1	2141	2118	.....	1
Hamilton	1681	3085	.....	6	1674	3080	.....	6
Hancock	2016	1475	.....	.....	2003	1480	.....	.....
Harrison	2178	1692	.....	7	2156	1694	.....	9
Hendricks	1755	2849	8	.....	1738	2856	10	.....
Henry	1730	3399	4	.....	1722	3365	4	.....
Howard	1432	2396	.....	1	1418	2403	.....	1
Huntington	2053	2193	.....	2	2058	2200	.....	2
Jackson	2423	1646	.....	.....	2422	1641	.....	.....
Jasper	561	994	.....	2	558	995	.....	1
Jay	1626	1737	7	.....	1628	1748	6	.....
Jefferson	2603	2802	.....	.....	2524	2806	.....	.....
Jennings	1585	1849	.....	2	1578	1852	.....	2
Johnson	2251	1729	.....	.....	2233	1729	.....	.....
Knox	2791	1996	.....	.....	2783	2001	.....	.....
Kosciusko	2218	2756	.....	.....	2209	2765	.....	.....
LaGrange	1013	1854	.....	1	1016	1857	.....	2
Lake	912	1532	.....	1	916	1529	.....	.....
LaPorte	3173	2998	.....	3	3166	3004	.....	3
Lawrence	1680	1889	.....	.....	1668	1926	.....	.....
Madison	3003	2253	.....	.....	2974	2269	.....	.....
Marion	8476	9435	3	1	8418	9494	3	1
Marshall	2326	1852	.....	.....	2304	1859	.....	.....
Martin	1322	942	.....	.....	1318	941	.....	.....
Miami	2565	2558	.....	.....	2527	2585	.....	.....
Monroe	1527	1689	.....	.....	1536	1686	.....	.....
Montgomery	2913	2795	.....	.....	2908	2795	.....	.....
Morgan	1826	2138	6	6	1822	2140	9	6
Newton	640	819	.....	2	640	823	.....	2
Noble	2285	2332	.....	6	2277	2345	.....	8
Ohio	574	638	.....	3	570	638	.....	3
Orange	1425	1231	.....	3	1397	1234	.....	3
Owen	1761	1438	.....	.....	1758	1437	.....	.....
Parke	1610	2309	.....	.....	1608	2304	.....	.....
Perry	1472	1362	.....	.....	1464	1365	.....	.....

Abstract of votes cast for Governor and Lieutenant-Governor of the State of Indiana, Oct. 9, 1872—CONTINUED.

COUNTIES.	FOR GOVERNOR.				FOR LIEUTENANT-GOVERNOR			
	Thomas A. Hendricks.	Thomas M. Browne	Samuel Falkenburg	Alf'd P. Edgerton.	John R. Cravens.	Leonidas Sexton.	Wm. H. Kendrick.	Green Durbin.
Pike	1554	1429	.....	.....	1549	1431	.....	.....
Porter	1296	1681	.....	.....	1270	1698	.....	.....
Posey	2250	1726	.....	.....	2235	1728	.....	.....
Pulaski	955	651	.....	4	957	652	.....	4
Putnam	2678	2075	.....	8	2654	2089	.....	.....
Randolph	1619	3395	.....	.....	1623	3386	.....	.....
Ripley	2245	2061	.....	2	2225	2070	.....	9
Rush	1975	2184	.....	.....	1931	2134	.....	.....
Scott	889	688	.....	3	878	687	.....	4
Shelby	2862	2182	.....	7	2844	2196	.....	7
Spencer	2245	2177	.....	.....	2230	2180	.....	.....
Starke	472	393	.....	.....	471	396	.....	.....
St. Joseph	2796	3295	.....	.....	2788	3299	.....	.....
Steuben	959	1834	.....	1	954	1838	.....	2
Sullivan	2547	1330	.....	.....	2527	1335	.....	.....
Switzerland	1297	1485	.....	.....	1289	1480	.....	.....
Tippecanoe	3762	4169	.....	.....	3744	4187	.....	1
Tipton	1509	1279	.....	.....	1502	1291	.....	.....
Union	728	940	.....	3	718	941	.....	3
Vanderburgh	3660	4070	.....	.....	3630	4085	.....	.....
Vermillion	929	1316	.....	.....	922	1320	.....	.....
Vigo	3826	4010	.....	.....	3804	4015	.....	.....
Wabash	1898	3008	.....	.....	1886	3018	.....	.....
Warren	972	1518	.....	5	970	1517	.....	4
Warrick	2020	1711	.....	.....	2004	1718	.....	.....
Washington	2064	1624	.....	1	2047	1628	.....	1
Wayne	3060	4694	.....	.....	3017	4735	.....	.....
Wells	1719	1287	.....	10	1716	1284	.....	11
White	1290	1288	.....	2	1286	1290	.....	2
Whitley	1826	1429	.....	.....	1824	1432	.....	.....
Total No. of votes	189,424	188,276	28	183	188,292	188,722	32	221
Majorities	1,148					430		

Whereupon, after inspecting and comparing said returns, it was determined that for the office of Governor Thomas M. Browne, of the county of Randolph, received 188,276 votes.

Thomas A. Hendricks, of the county of Marion, received 189,424 votes.

Samuel Falkenburg, of the county of Marion, received 28 votes.

Alfred P. Edgerton, of the county of Allen, received 183 votes.

Thomas A. Hendricks having received the highest number of votes cast for Governor, was by the President of the Senate in the presence of both Houses of the General Assembly of the State of Indiana, declared duly elected Governor of the State of Indiana, to serve as such for the term of four years, from and after the second Monday in January, A. D. 1873.

That for the office of Lieutenant Governor, Leonidas Sexton, of the county of Rush, received 188,792 votes.

John R. Cravens of the county of Jefferson, received 188,292 votes.

William H. Kendrick, of the county of Marion, received 32 votes.

Green Durbin, of the county of Ripley, received 221 votes.

Leonidas Sexton having received the highest number of votes cast, was by the President of the Senate in presence of both Houses of the General Assembly declared duly elected Lieutenant Governor of the State of Indiana for the term of four years, commencing on the second Monday in January A. D. 1873.

Mr. Cauthorn, Representative from the county of Knox, offered the following resolution.

WHEREAS, The day designated by the Constitution of the State for the inauguration of Governor is rapidly approaching; and

WHEREAS, The result of the recent election for that high office, as just announced by the President of this joint convention, admonishes us that there will be a change in the executive office of the State; and

WHEREAS, The present Executive has nearly completed his official record as such officer, and the same is now a part of the history of the State, and is a proper subject of comment by his fellow-citizens. Therefore,

Resolved by the Senate and House of Representatives in Joint Convention assembled, That we recognize the patriotism, integrity, ability and efficiency of His Excellency, Conrad Baker.

Resolved, That the administration of the executive office of the State by His Excellency has been characterized by distinguished ability, and will long be remembered by the people of the State as a bright and glorious period in her history.

Resolved, That His Excellency, in his retirement from office, will take with him the good wishes of the people of the State without distinction of party, who, with united voice, are ready to

exclaim with reference to his positive acts, " Well done, thou good and faithful servant!"

Which were unanimously adopted.

The business for which the joint convention was convened having been concluded, the President of the Senate declared it adjourned without day, and the Senators retired to their chamber.

On motion, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Wynn moved a call of the House, which motion prevailed.

Those answering to their names were, Messrs. Baker, Barnett, Billingsley, Blocher, Bouser, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lanfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Satterwhite, Scott, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Woollen, Wynn, and Mr. Speaker—85.

On motion by Mr. Given, further proceedings under the call were dispensed with.

Mr. Kimball offered the following resolution:

Resolved, That the sum of four hundred and forty-five dollars be and is hereby allowed in payment of the funeral expenses of Col. Norman Eddy, late Secretary of State, and that the Commit-

tee on Ways and Means be directed to place the same in the specific appropriation, which was omitted by accident in tne specific appropriation bill of last session.

Which was unanimously adopted.

Mr. Satterwhite offered the following resolution:

Resolved, That a committee of three on the part of the House, to act with a like committee on the part of the Senate, to make proper arrangements and fix the time when the persons designated by the American Women's Suffrage Association shall have a respectful hearing before the General Assembly of the State of Indiana.

Mr. Baker moved to lay the resolution on the table.

The question being, shall the resolution offered by Mr. Satterwhite be laid on the table?

Whereupon Messrs. Buskirk and Walker demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barrett, Blocher, Claypool, Cline, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence,) Eward, Furnas, Gifford, Hatch, Heller, Hoyer, McConnell, McKinney, Miller, Reno, Rudder, Smith, Tingley, Thompson (of Elkhart,) Willard, Willson (of Ripley,) Woolflin and Wood—28.

Those who voted in the negative were, Messrs. Anderson, Barker, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cobb, Cole, Eaton, Ellsworth, Given, Glasgow, Glazerbrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hedrick, Henderson, Hollingsworth, Isenhaur, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Martin, Mellett, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Satterwhite, Schmuck, Scott, Spellman, Strange, Teeter, Thayer, Thompson, (of Spencer,) Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford,) Woodard, Woollen, Wynn and Mr. Speaker—64.

So the resolution was not laid on the table.

The resolution was passed over informally.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the resolution of the House, providing that the General Assembly shall meet in Joint Convention this day, for the purpose of electing officers to fill the following named places:

One President of Board of Commissioners of Benevolent Institutions, one Trustee of Blind Asylum, one Trustee of Deaf and Dumb Asylum, one Trustee of Insane Asylum, one Canal Trustee, one State Librarian, three Directors of the State Prison South, three Directors of the State Prison North, one Trustee of the Soldiers' Home.

The Speaker appointed Messrs. Kimball and Cauthorn, a committee to notify the Senate that the House was ready to receive the members of the Senate and to proceed to the election of the various State officers and to conduct the members of the Senate to the hall of the House of Representatives.

SPECIAL ORDER.

The hour of 2 o'clock having arrived, being the time fixed by the two Houses for the election of one President of the Board of Commissioners of Benevolent Institutions, one Trustee of Blind Asylum, one Trustee of Deaf and Dumb Asylum, one Trustee of the Insane Asylum, one Canal Trustee, one State Librarian, three Directors of the Sate Prison South, three Directors of the State Prison North, one Trustee of the Soldiers' Home.

The members of the Senate came into the hall of the House of Representatives and were seated on the right of the Speaker.

Hon. George W. Friedley, President of the Senate, took the chair and called the joint convention to order.

Whereupon Mr. Kimball put in nomination Patrick H. Jameson for the office of President of the Board of Commissioners of Benevolent Institutions.

Senator Hall nominated James S. Athon for the same office.

There being no further nominations, the Secretary proceeded to call the roll.

On the part of the Senate, those who voted for Patrick H. Jameson were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley, Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson Wadge and Mr. President—23.

On the part of the House, those who voted for Patrick H. Jameson were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for James S. Athon were,

Messrs. Bird, Bowman, Cave, Daugherty, Dittemore, Fuller, Francisco, Glessner, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—18.

Senator Armstrong paired with Senator Hough. Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for James S. Athon were,

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazerbrook, Goble, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard and Woollen—42.

Whole number of votes received by Patrick H. Jameson, on the part of the Senate..... 23
On the part of the House..... 51

Total vote for Patrick H. Jameson..... 74

Whole number of votes received by James S. Athon, on the part of the Senate..... 18
On the part of the House..... 42

Total vote for James S. Athon..... 60

Whole number of votes cast, one hundred and thirty-four.

Necessary to a choice, sixty-eight.

Patrick H. Jameson having received a majority of all the votes cast, the President of the Senate declared him duly elected President of the Board of Commissioners of Benevolent Institutions.

Mr. Kimball put in nomination John Beard for the office of Trustee of the Blind Asylum.

Senator Hall put in nomination Archibald Johnson for the same office.

On the part of the Senate, those who voted for John Beard were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley, Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wade and Mr. President—23.

On the part of the House, those who voted for John Beard were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Slatterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Woolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for Archibald Johnson were,

Messrs. Bird, Bowman, Cave, Daugherty, Dittemore, Fuller, Francisco, Glessner, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—18.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for Archibald Johnson were,

Messrs. Anderson, Baker, Barrett, Barker, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Smith, Spellman, Strange, Teeter, Tingley, Whitworth, Willard and Woolen—42.

Whole number of votes cast for John Beard, on the part of the Senate	23
On the part of the House	51
Total vote for John Beard	74
Whole number of votes cast for Archibald Johnson, on the part of the Senate	18
On the part of the House	42
Total vote for Archibald Johnson	60

Whole number of votes cast, one hundred and thirty-four.

Necessary to a choice, sixty-eight.

John Beard having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Trustee of the Blind Asylum.

Mr. Kimball nominated Dr. J. R. Brown for the office of Trustee of the Deaf and Dumb Asylum.

Senator Hall nominated Dr. B. F. Spann for the same office.

On the part of the Senate, those who voted for Dr. J. R. Brown were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley, Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—23.

On the part of the House, those who voted for Dr. J. R. Brown were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Dial, Edwards (of Lawrence), Eward, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Miller, Mellett, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for Dr. B. F. Spann were,

Messrs. Bird, Bowman, Cave, Daugherty, Dittemore, Fuller, Francisco, Glessner, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—18.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for Dr. B. S. Spann were,

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Durham, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard and Wollen—41.

Whole number of votes cast for Dr. J. R. Brown, on the part of the Senate	23
On the part of the House	51
Total vote for Dr. Brown	74

Whole number of votes cast for Dr. B. F. Spann, on the part of the Senate 18
On the part of the House 41

Total vote for Dr. B. F. Span 59

Whole number of votes cast, one hundred and thirty-three.

Necessary for a choice sixty-seven.

Dr. J. R. Brown having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Trustee of the Deaf and Dumb Asylum.

Mr. Kimball nominated Dr. George F. Chittenden to the office. of Trustee of the Insane Asylum.

Senator Hall nominated Dr. H. S. Parmenter for the same office

On the part of the Senate, those who voted for Dr. George F. Chittenden were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dittemore, Dwiggins, Friedley, Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—24.

On the part of the House, those who voted for Dr. George F. Chittenden were,

Messrs. Billingsly, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkparick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for Dr. H. S. Parmenter were,

Messrs. Bird, Bowman, Cave, Daugherty, Fuller, Francisco, Glessner, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—17.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House those who voted for Dr. H. S. Parmenter, were,

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard, and Woollen—41.

Whole number of votes cast for Dr. George F. Chittenden, on the part of the Senate	24
On the part of the House	51
Total vote for Dr. George F. Chittenden	75

Whole number of votes cast for Dr. H. S. Parmenter, on the part of the Senate	17
On the part of the House	41
Total vote cast for Dr. H. S. Parmenter	58

Whole number of votes cast, one hundred and thirty-three.

Necessary to a choice, sixty-seven.

Dr. George F. Chittenden having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Trustee of the Insane Asylum.

Mr. Kimball nominated James S. Hinton for Trustee of the Wabash & Erie Canal.

Senator Hall nominated Cyrus T. Nixon for the same office.

On the part of the Senate, those who voted for James S. Hinton were

Messrs Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley, Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—23.

On the part of the House, those who voted for James S. Hinton were,

Messrs. Billingsley, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—49.

On the part of the Senate, those who voted for Cyrus T. Nixon were,

Messrs. Bird, Bowman, Cave, Daugherty, Dittemore, Fuller, Francisco, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—17.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for Cyrus T. Nixon were,

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Richardson, Rudder, Schmuk, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard and Woollen—41.

Whole number of votes cast for James S. Hinton, on the part of the Senate	23
On the part of the House	49
Total vote for James S. Hinton	72
Whole number of votes cast for Cyrus T. Nixon on the part of the Senate	17
On the part of the House	41
Total vote for Cyrus T. Nixon	58

Whole number of votes cast one hundred and thirty.

Necessary to a choice, sixty-six.

James S. Hinton having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Trustee of the Wabash & Erie Canal.

Mr. Kimball nominated Mrs. Sarah A. Oren for the office of State Librarian.

Senator Hall nominated James DeSanno for the same office.

On the part of the Senate, those who voted for Mrs. Sarah A. Oren were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott), Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—23.

On the part of the House, those who voted for Mrs. Sarah A. Oren were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Schmuck, Scott, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—52.

On the part of the Senate, those who voted for James De Sanno were,

Messrs. Bird, Bowman, Cave, Daugherty, Dittemore, Fuller, Francisco, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—17.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for James De Sanno were,

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazebrook, Hoyer, Isenhauer,

Martin, McConnell, McKinney, Pfrimmer, Richardson, Rudder, Smith, Strange, Teeter, Tulley, Whitworth, Willard and Woollen —33.

Whole number of votes cast for Mrs. Sarah A. Oren, on the part of the Senate	23
On the part of the House	52
Total vote for Mrs. Sarah A. Oren	75

Whole number of votes cast for James DeSanno, on the part of the Senate	17
On the part of the House	33
Total vote for James DeSanno	50

Whole number of votes cast, one hundred and twenty-five.

Necessary to a choice, sixty-three.

Mrs. Sarah A. Oren having received a majority of all the votes cast, the President of the Senate declared her duly elected to the office of State Librarian.

Mr. Kimball nominated Benjamin F. Hill for the office of Director of the State Prison South, to succeed William W. Curry.

Senator Hall nominated H. T. Sage for the same office.

On the part of the Senate, those who voted for Benjamin F. Hill were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott), Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—23.

On the part of the House, those who voted for Benjamin F. Hill were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley,

Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Willson (of Ripley,) Wilson (of Blackford,) Woolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for H. T. Sage were,

Messrs. Bird, Bowman, Cave, Daugherty, Fuller, Francisco, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Smith, Stroud, Williams and Winterbotham—16.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

On the part of the House, those who voted for H. T. Sage were,

Messrs. Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazebrook, Goble, Gregory, Heller, Hoyer, Jones, McConnell, McKinney, Pfrimmer, Richardson, Rudder, Schmuck, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard and Woollen—36.

Whole number of votes cast for Benjamin F. Hill, on the part of the Senate	23
On the part of the House	51
Total vote for Benjamin F. Hill	74
Whole number of votes cast for H. T. Sage, on the part of the Senate	16
On the part of the House	36
Total vote for H. T. Sage	52

Whole number of votes cast, one hundred and twenty-six.

Necessary to a choice, sixty-four.

Benjamin F. Hill having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Director of the State Prison South, to succeed William W. Curry.

Mr. Kimball nominated A. L. Munson for the office of Director of the State Prison South, to succeed R. S. Heiskell.

Senator Hall nominated R. D. Brown for the same office.

On the part of the Senate those who voted for Mr. A. L. Munson were,

Messrs. Beardsley, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott), Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—22.

On the part of the House, those who voted for A. L. Munson were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—51.

On the part of the Senate, those who voted for R. D. Brown were,

Messrs. Bird, Bowman, Brown, Cave, Fuller, Francisco, Gregg, Hall, Harney, Ringo, Sarnighausen, Slater, Stroud, Williams and Winterbotham—15.

On the part of the House, those who voted for R. D. Brown were,

Messrs. Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Ellsworth, Given, Glazebrook, Goble, Heller, Hoyer, McConnell, McKinney, Peed, Pfrimmer, Rudder, Schmuck, Spellman, Strange, Teeter, Whitworth, Willard and Woollen—31.

Whole number of votes cast for A. L. Munson, on the part of the Senate	22
On the part of the House	51
Total vote for A. L. Munson	73

Whole number of votes cast for R. D. Brown on the part of the Senate	15
On the part of the House	31
Total vote for R. D. Brown	46

Whole number of votes cast one hundred and nineteen.

Necessary to a choice sixty.

A. L. Munson having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Director of the State Prison South, to succeed R. S. Heiskell.

Mr. Kimball put in nomination Samuel T. Platt to succeed Mr. Kirk as Director of the State Prison South.

On the part of the Senate, those who voted for Samuel T. Platt were,

Messrs. Beardsley, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott), Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—22.

Present, and not voting, on the part of the Senate:

Senator Armstrong paired with Senator Hough, Messrs. Briggs, Bird, Boone, Bowman, Carnahan parred with Senators Orr, Cave, Daugherty, Dittemore, Fuller, Francisco, Glessner, Gregg, Hall, Harney, Ringo, Rosebrugh, Sarnighausen, Slater, Smith and Stroud—17. Two paired—19.

On the part of the House, those who voted for Samuel T. Platt were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Miller, Mellett, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Schmuck, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—50.

Present and not voting, on the part of the House:

Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Given, Glazerbrook, Goble, Gregory, Heller,

Henderson, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Peed, Pfrimmer, Richardson, Rudder, Smith, Spellman, Strange, Teeter, Tulley, Whitworth, Willard and Woollen—40.

Whole number of votes cast for Samuel T. Platt, on the part of the Senate	22
On the part of the House	50
Total vote for Samuel T. Platt	72
Present and not voting, on the part of the Senate	17
Present and not voting, on the part of the House	40
Total present and not voting	57
Whole number of votes cast	72
Whole number present and not voting	57
Total number, present and not voting	129

Mr. Samuel T. Platt having received a majority of all the votes cast, the President of the Senate declared him duly elected Director of the State Prison South, to fill the unexpired term of John Kirk, late a Director thereof.

The President of the Senate announced the next thing in order to be the election of three Directors for the State Prison North.

Mr. Kimball put in nomination R. T. St. John, for the office of Director of the State Prison North.

Senator Hall put in nomination Dr. Wm. A. Connolly for the same office.

On the part of the Senate, those who voted for Mr. St. John were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott,) Gooding, Haworth, Howard, Hubbard, Miller, Neff, O'Brien, Oliver, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—22.

On the part of the Senate, those who voted for Dr. Wm. A. Connolly were,

Messrs. Bird, Bowman, Cave, Francisco, Gregg, Hall, Harney, Ringo, Slater, Smith, Williams and Winterbotham—12.

Senator Armstrong, paired with Senator Hough, Senator Carnahan, paired with Senator Orr.

On the part of the House, those who voted for R. T. St. John were,

Messrs. Broaddus, Butterworth, Butts Cauthorn, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—50.

On the part of the House, those who voted for Dr. Wm. A. Connolly were,

Messrs. Bowser, Claypool, Cline, Given, Glazebrook, Goble, Heller, McConnell, McKinney, Peed, Reno, Strange, Teeter and Woollen—14.

Present and not voting, on the part of the House, Messrs. Anderson, Baker, Barker, Barrett, Blocher, Brett, Buskirk, Coffman, Dial, Durham, Eaton, Ellsworth, Gregory, Henderson, Hoyer, Isenhauer, Jones, Martin, Pfrimmer, Richardson, Rudder, Schmuck, Smith, Spellman, Tulley, Whitworth and Willard—27.

Whole number of votes cast for Mr. St. John on the part of the Senate	22
On the part the House	50
Total vote for Mr. St. John	72
Whole number of votes cast for Dr. Wm. A. Connolly on the part of the Senate	12
On the part of the House	14
Total vote for Dr. Wm. A. Connolly	26
Present and not voting on the part of the House	27

Whole number of votes cast ninety-eight.

Necessary to a choice, fifty.

Whole number present, voting and not voting, one hundred and twenty-five.

Mr. St. John having received a majority of all the votes cast, the President of the Senate declared him duly elected Director of the State Prison North.

Mr. Kimball nominated A. W. Smith for the office of Director of the State Prison North.

Senator Hall nominated James J. Smiley for the same office.

On the part of the Senate, those who voted for A. W. Smith were,

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott,) Gooding, Haworth, Howard, Hubbard, Miller, Neff, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—22.

On the part of the House, those who voted for A. W. Smith were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson, (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—50.

On the part of the Senate, those who voted for James J. Smiley were,

Messrs. Bird, Brown, Cave, Dittemore, Francisco, Hall, Harney, Ringo, Sarnighausen, Sleeth, Smith, Williams and Winterbotham—13.

Senator Armstrong, paired with Senator Hough, Senator Carnahan, paired with Senator Orr.

On the part of the House, those who voted for James J. Smiley were,

Messrs. Blocher, Cauthorn, Claypool, Cline, Given, Glazebrook, Goble, McConnell, McKinney, Peed, Reno, Strange, Teeter and Woollen—14.

Present and not voting, on the part of the House, Messrs. Anderson, Baker, Barker, Barrett, Bowser, Brett, Buskirk, Coffman, Dial, Durham, Eaton, Ellsworth, Martin, Pfrimmer, Richardson, Tulley, Whiteworth and Willard—18.

Whole number of votes cast for A. W. Smith, on the part of the Senate..... 22
On the part of the House..... 50

Total vote for A. W. Smith..... 72

Whole number of votes cast for James J. Smiley, on the part of the Senate..... 13
On the part of the House..... 14

Total vote for James J. Smiley..... 27

Present, and not voting, on the part of the House..... 18

Whole number present, voting and not voting 118

Whole number of votes cast, ninety-nine.

Necessary to choice, fifty.

A. W. Smith having received a majority of all the votes cast, the President of the Senate declared him duly elected to the office of Director of the State Prison North.

Mr. Kimball nominated A. D. Capron for the office of Director, of the State Prison North.

Senator Hall nominated W. B. Lockridge for the same office.

On the part of the Senate, those who voted for A. D. Capron were

Messrs. Beardsley, Brown, Bunyan, Collett, Daggy, Dwiggins, Friedley, (of Scott,) Gooding, Haworth, Howard, Hubbard, Miller, Neff, Oliver, Scott, Sleeth, Steele, Taylor, Wadge and Mr. President—20.

On the part of the House, those who voted for A. D. Capron were,

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,)

Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson, (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Woolflin, Wood Woodard, Wynn and Mr. Speaker—50.

On the part of the Senate, those who voted for W. B. Lockridge, were,

Messrs. Bird, Bowman, Cave, Dittemore, Francisco, Hall, Harney, Ringo, Slater, Smith, Williams and Winterbotham—12.

Senator Armstrong paired with Senator Hough, Senator Carnahan paired with Senator Orr.

Present on the part of the Senate and not voting, Messrs. Boone, Daugherty, Fuller, Glessner, Gregg, Rosebrugh and Stroud—7.

On the part of the House those who voted for W. B. Lockridge were,

Messrs, Blocher, Bowser, Brett, Cauthorn, Claypool, Cline, Given, Glazebrook, Goble, McConnell, McKinney, Peed, Reno, Rudder, Strange, Teeter and Woollen—16.

Present and not voting on the part of the House, Messrs. Anderson, Baker, Barker, Buskirk, Coffman, Dial, Durham, Eaton, Ellsworth, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, Martin Pfrimmer, Richardson, Schmuck, Smith, Tulley, Whitworth and Willard—23.

Whole number of votes cast for Mr. Capron on the part of the Senate	20
On the part of the House	50
Total vote for Mr. Capron	70
Whole number of votes cast for Mr. Lockridge on the part of the Senate	12
On the part of the House	16
Total vote for Mr. Lockridge	28

Present and not voting on the part of the House.	23
On the part of the Senate.....	7
Total present and not voting.....	30

Whole number of votes cast ninety-eight.

Necessary to a choice fifty.

Whole number present, voting and not voting, one hundred and twenty-eight.

Mr. Capron having received a majority of all the votes cast the President of the Senate declared him duly elected to the office of Director of the State Prison North.

The President announced that the next thing in order would be the election of a Trustee for the Soldiers Home.

Mr. Kimball nominated Mr. Hannaman for that office.

Senator Hall nominated Col. Fred. Slater for the same office.

On the part of the Senate those who voted for Mr. Hannaman were,

Messrs. Beardsley, Bunyan, Collett, Daggy, Dwiggins, Friedley (of Scott,) Gooding, Haworth, Howard, Hubbard, Miller, Neff, Oliver, Rhodes, Scott, Sleeth, Steele, Taylor, Thompson, Wadge and Mr. President—21.

On the part of the House those who voted for Mr. Hannaman were

Messrs. Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollinsworth, Jonhson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart,) Thompson(of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—49.

On the part of the Senate, those who voted for Mr. Slater were,

Messrs. Bird, Bowman, Rosebrugh, Slater, Smith, Stroud, Williams and Winterbotham—10.

Senator Armstrong paired with Senator Hough. Senator Carnahan paired with Senator Orr.

Present and not voting on the part of the Senate, Messrs. Boone, Cave, Daugherty, Dittemore and Fuller—5.

On the part of the House, those who voted for Mr. Slater were,

Messrs. Barker, Brown, Bowser, Brett, Cauthorn, Claypool, Cline, Given, Glazebrook, McConnell, McKinney, Reno, Richardson, Rudder, Strange, Teeter and Woollen—16.

Present and not voting on the part of the House, Messrs. Anderson, Baker, Blocher, Buskirk, Coffman, Dial, Durham, Eaton, Goble, Gregory, Heller, Henderson, Hoyer, Jones, Martin, Peed, Pfrimmer, Schmuck, Smith, Spellman, Tulley, Whitworth and Willard—23.

Whole number of votes cast for Mr. Hannaman on the part of the Senate	21
On the part of the House	49
Total vote for Mr. Hannaman	70
Whole number of votes cast for Mr. Slater on the part of the Senate	10
On the part of the House	16
Total vote for Mr. Slater	26
Present and not voting on the part of the Senate	5
On the part of the House	23
Total present and not voting	28

Whole number of votes cast ninety-six.

Necessary to a choice forty-nine.

Whole number present voting and not voting one hundred and twenty-four.

Mr. Hannaman having received a majority of all the votes cast, the President of the Senate declared him duly elected Trustee of the Soldiers' Home.

The President of the Senate said the purpose for which the Joint Convention assembled having been accomplished, I now declare it adjourned *sine die*—and the President of the Senate and Senators retired to their chamber.

On motion, the House adjourned until Monday morning at 9½ o'clock.

W. K. EDWARDS, Speaker.

MONDAY MORNING.

JANUARY 13, 1873, 9½ O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of Saturday was read and approved.

The following members being absent at the organization of the House on Thursday, January 9, 1873, appeared and were sworn into office by the Speaker.

From the county of DeKalb, Samuel S. Shutt.
From the county of Noble, Henry C. Stanley.

Mr. Peed offered the following resolution:

Resolved, That a committee of three on the part of the House, to act with a similar committee on the part of the Senate, be appointed to wait on the Hon. T. A. Hendricks, Governor elect of Indiana, and ascertain when it will be his pleasure to meet the House and Senate in Joint Convention for the purpose of being inaugurated as Governor, and delivering his address.

Which was adopted.

And the Speaker appointed as such committee, on the part of the House, Messrs. Peed, Willard and Scott.

The resolution offered by Mr. Satterwhite on Saturday last in relation to the appointment of a committee of three on the part of the House, to act with a like committee on the part of the Senate,

to make proper arrengements and fix the time when the persons designated by the American Womans Suffrage Association shall have a respectful hearing before the General Assembly of the State of Indiana, which resolution was passed over informally, was taken up and adopted.

And the Speaker appointed as such committee on the part of the House, Messrs. Satterwhite, Glazebrook and Butterworth.

Mr. Shirley being absent when the candidates for the various State offices were voted for on Saturday last, asked that the journal of the House show that if he had been present, he would have voted for the Democratic nominee for said various State offices.

So ordered.

Mr. Miller was granted an indefinite leave of absence.

Mr. Goble was granted an indefinite leave of absence.

Mr. Willard was granted an indefinite leave of absence.

The resolution offered by Mr. Rumsey on Friday last in relation to the enlargement of the Standing Committees of the House, in the discretion of the Speaker, so as to devide the honors, responsibilities and labors, which by rule of the House was laid over until the next day, was taken up and said resolution was not adopted.

The Speaker announced that there would be no change in the Standing Committees as appointed at the Special Session except at the request of the members or on account of unavoidable absence. That the changes that may be made will not effect the situation of said committees, that all bills referred to them at the Special Session or that may now be referred to be considered and reported on by the appropriate committees.

Mr. Given introduced House bill No. 269—an act regulating the fees of certain officers and persons therein named, and prescribing penalties for the violation of its provisions, and declaring an emergency.

Which was read a first time, passed to a second reading, and referred to the Committee on Fees and Salaries.

Mr. Miller introduced House bill No. 270—an act to provide for the service of summons in suits commenced before justices of the peace where defendants resides in adjoining counties, providing for the rendition of judgments and issuing of executions thereon.

Which was read a first time and referred to the Committee on the Judiciary.

Mr Miller introduced House bill No. 271—an act to amend section No. 52 of the act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Scott introduced House bill No. 272—an act to regulate the sale of mineral oils and other substances for illuminating purposes.

Which was read a first time and referred to the Committee on Cities and Towns.

Mr. Buskirk introduced House bill No. 273—an act to amend sections thirty-seven and thirty-eight of an act entitled "An act for the relief of the poor," approved June 9, 1852.

Which was read a first time and referred to the Committee on Benevolent Institutions.

Mr. Isenhauer introduced House bill No. 274—an act limiting the punishment of crime in certain cases.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Branham introduced House bill No. 275—an act to provide for the acquisition and enjoyment by the United States of lands within this State for public purposes.

Which was read a first time and referred to the Committee on Federal Relations.

Mr. Willson of Ripley introduced House bill No. 276—an act prohibiting the several courts and county boards in this State from making any allowances for stationary furnished to or by the several county Auditors, Clerks, Sheriffs, Recorders and Treasurers in this State, and providing that such officers shall furnish their own stationery.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Hardesty introduced a petition from sundry citizens, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. North introduced House bill No. 277—an act to amend the eleventh section of the act entitled "An act to regulate and license the sale of spirituous, vinous, malt and other intoxicating liquors, to prohibit the adulteration of liquors, to repeal all former laws contravening the provisions of this act, and prescribing penalties for violation thereof;" approved March 5th, 1859.

Which was read a first time and referred to the Committee on Temperance.

Mr. Woodard presented petitions from sundry citizens, on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Woodard introduced House bill No. 278—an act prescribing the fees of officers in certain cases and prescribing penalties for the violation thereof.

Which was read a first time and referred to the Committee on Fees and Salaries

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has adopted the following resolution of the House, to-wit:

Resolved, That a committee of three, on the part of the House, to act with a similar committee on the part of the Senate, be appointed to wait on the Hon. T. A. Hendricks, Governor elect of Indiana, and ascertain when it will be his pleasure to meet the House and Senate in Joint Convention, for the purpose of being inaugurated as Governor and delivering his address, with the following amendments, to-wit:

Insert after the word "and" in line six, the words, "Hon. Leonidas Sexton, Lieutenant-Governor elect," and also, to strike out the word "his" in line seven, and insert the word "their," also, insert after the word "and" in line nine, the words, "Lieutenant-Governor elect, and," also, strike out the word "his" in line ten and insert the word "their," and the Senate respectfully ask the concurrence of the House.

And I am further directed, that when so amended the Senate has appointed as such committee on the part of the Senate, Messrs. Williams, Fuller and Steele.

On motion by Mr. Cauthorn, the message of the Senate just received was taken up and the Senate amendments concurred in.

Mr. Schmuck introduceced House bill No. 279—a bill to better enable county Treasurers to collect up the delinlinquent taxes, and to save useless expense in advertising delinquent lands and lots.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Whitworth introduced House bill No. 280—an act to amend section 169 of an act entitled, "An act providing for the settlement of decedents estates, prescribing rights, liabilities and duties of officers committee with the management thereof and the heirs thereto and certain forms to be used in such settlements," approved January 17, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Hatch presented a petition from sundry citizens of Benton county in relation to the regulation of freights.

Which was referred to the Committee on Railroads.

Mr. Hollingsworth presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Walker introduced House bill No. 281—a bill to fix salaries and pay of judicial officers and providing the manner of paying them.

Which was read a first time and referred to the Committee on Fees and Salaries.

Mr. Baxter presented a petition from eighty women of Bridgeport asking the Legislature to complete the Reformatory Institution etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Baxter presented a petition from sundry citizens of Wayne county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. McConnell introduced House bill No. 282—an act to fix the time of holding courts in the 20th judicial district.

Which was read a first time and referred to the Committee on the Organization of Courts.

Mr. Tulley offered the following resolution :

Resolved, That the Committee on Printing be ordered to report or return to this House at two o'clock p. m. to-morrow House bills Nos. 9 and 31 on public printing and that the same be made special order for that hour.

Which was adopted.

Mr. Mellett presented a petition from sundry citizens on the subject of temperance.

Which was referred to the Committee on Temperance.

The Speaker laid before the House a communication from a mass meeting of citizens of Indianapolis in relation to the enactment of a temperance law.

Which was referred to the Committee on Temperance.

Mr. Billingsley presented a petition from sundry citizens of Marion county on the subject of temperance.

Which was referred to the Committee on Temperance.

The following message was received from the Governor by his Private Secretary, John M. Commons.

MR. SPEAKER:

By direction of the Governor I have the honor to transmit herewith a communication in relation to an allowance to General W H. H. Terrell for services in procuring payment of a claim against the General Government.

JOHN M. COMMONS,
Private Secretary.

Gentlemen of the House of Representatives:

I neglected to refer to a matter in my regular message, which was referred to in the message delivered at the opening of the regular session of 1871, and will be found at page twenty-three of the pamphlet edition of that message. It has relation to the payment of General W. H. H. Terrell for his services in procuring the payment of a claim against the General Government for $23,255.

The claim was realized to that amount and paid into the Treasury of the State, and I promised General Terrell that the State would pay him a reasonable compensation for his services. I trust the General Assembly will make my promise good by making General Terrell a suitable allowance.

CONRAD BAKER,
Governor.

MR. SPEAKER:

By direction of the Governor, I have the honor to transmit a communication in relation to the reports of the State prisons, and also as to the report of Hon. John H. Farquhar, Secretary of State.

JOHN M. COMMONS,
Private Secretary.

Gentlemen of the House of Representatives:

I beg leave to say that I neglected to notice in my regular message the fact that the report of the Directors and Warden of the State Prison South, and also of that of the State Prison North, were received and are now in the hands of the public printer, and I suggest that a resolution be passed directing the publication of the usual number of copies.

I also beg leave to state that I this morning received the report of the Hon. John H. Farquhar, Secretary of State, and there being but one copy thereof I have transmitted it to this House.

CONRAD BAKER,
Governor.

To the Speaker of the House of Representatives:

I omitted at the time of the delivery of my message to submit the report of Gen. John G. Greenawalt, Adjutant General of the State and to supply that omission, I herewith respectfully transmit one copy of said report to the Senate, and another to the House of Representatives.

CONRAD BAKER,
Governor.

Report of John G. Greenawalt, Adjutant General of Indiana, to the Governor, December 31, 1872.

EXECUTIVE DEPARTMENT, INDIANA,
ADJUTANT GENERALS OFFICE,
Indinapolis, December 31, 1872.

To his Excellency, Conrad Baker, Governor of Indiana:

SIR:—I have the honor to submit the following report of the Adjutant General's Department, for the two years ending December 31, 1872.

As stated in former report the late war made this office an important one, *a record office*, of vast interest to the soldiers who participated in the war and the heirs and relatives of those who lost their lives during the struggle, or from causes connected therewith.

The immense amount of business pertaining to the collection of claims, the completion and correction of the record growing out of the war, and the constant legislation of Congress in relation to pen-

sions, bounty, etc., is constantly giving rise to new applications for evidence and information from the rolls and records upon file in this office. Many soldiers having lost their army discharges, are applying for official evidence of service in order to avail themselves of bounty land acts, and to complete claims of various kinds. Several of the counties of the State have within the past year commenced adjusting the payment of local bounties to soldiers who were credited to the quotas of said counties during the war.

This measure has entailed considerable labor in furnishing information to the officers of the county and certificates of credit to soldiers claiming such bounties.

The correspondence of the office instead of diminishing has increased, caused by additional legislation by Congress as above intimated.

This correspondence will continue for years. Letters for information and evidence come from soldiers and their attorneys, claim agents, superintendents and other officers of the many asylums and homes for soldiers and officers, and from the various departments of the Government at Washington.

The Second Auditor engaged in settling claims for arrears of pay, bounty, etc., the Commissioner of Pensions in whose office some eighty-thousand pension claims are pending, as stated in his recent report, and from the War Department itself, many applications being received from the Adjutant General requesting copies of rolls and other evidence and information in order to complete the records of that office, constant changes and corrections of record are being made by the authorities of the War Department, and where such change affects the service of Indiana soldiers, this office is informed, and changes or corrections noted, thus perfecting the military history of our soldiers for the benefit of themselves or others in the future.

The lapse of time since the war has clearly demonstrated the value of these records and the necessity for their proper preservation. The constant handling of the rolls is proving very destructive to them, and as a considerable portion of them have already been copied into substantial books prepared for the purpose, I would recommend that provision be made for the continuance and completion of the work of transcribing the records alluded to.

The most valuable and voluminous records, consisting of muster-in-rolls of companies and regiments, muster-in-rolls of recruits,

muster-out-rolls of companies, regiments and detachments, are now kept in a case brought from the State House upon the removal of the office to this building, where it is now located. This case is poorly adapted for the preservation of the records contained in it, and in case of fire very few of the rolls could be saved. I have, therefore, to recommend that a number of smaller cases be made to contain the records alluded to, and that they be arranged in sections so as to be easily removed. The rolls should, moreover, be contained in tin boxes to preserve them from mice and to exclude the dust.

THE MILITIA.

The militia of this State is wholly unorganized, and it has not been deemed expedient to attempt the organization of any part of the militia under the present defective law upon the subject. The most of the States of the Union, as in Indiana, have a militia law, and it is, with one or two exceptions, in all the States inoperative. The principal defect appears to be the want of compulsory measures to enforce service; and next they all fail in the most essential feature, in that they do not provide for adequate compensation of those upon whom duties are imposed by the law. Whether it would be wise for the General Assembly to inquire into the expediency of a new and effective militia law, I leave that body to determine.

ORDNANCE DEPARTMENT.

Arms and accoutrements have been issued to Independent Companies, organized in cities and towns, during the last two years as follows:

June 26, 1871. Prairie City Guards, Terre Haute. Capt. John A. Bryan—one hundred stand Springfield Rifles.

July 12. Bloomington Guards, Bloomington. Captain W. J Allen—sixty stand Springfield Rifles.

(This company was disbanded in May, 1872, and the arms and accoutrements returned to the State.)

July 12. Union Guards, Rockville. Captain, W. S. Magill. Sixty stand Springfield rifles.

August 15. Muncie Guards, Muncie. Captain, Frank Ellis One hundred stand Springfield rifles.

Sept. 5. Angola Zouaves, Angola. Captain, Ora Pierce. Sixty stand Enfield rifles.

Sept. 12. Laporte Scheutzen, Laporte. Captain, Charles Peo. Sixty stand Springfield rifles.

Oct. 1. Business College Volunteers, Indianapolis. Captain, T. B. Wightman. Sixty stand Springfield rifles.

Jan. 27, 1872. Vincennes National Guards, Vincennes. Captain, John Elleck. Fifty stand Springfield rifles.

July 15. South Bend Rifle Company, South Bend. Captain, George Pflegor. Eighty stand Springfield rifles.

Aug. 22. Waveland Zouaves, Waveland. Captain, C. T. Darwin. Sixty stand Springfield rifles.

Aug. 30. Laporte Zouaves, Laporte. Captain, L. A. Cole. Sixty stand Springfield rifles.

Nov. 20. First National Zouaves, New Albany. Captain, John Dewey. Sixty stand Springfield rifles.

Proper accoutrements accompanied each issue.

Arms on hand at date of last report:

Springfield rifles		1339
Enfield rifles		500
Returned from Bloomington		60
		1899
Issued, as above enumerated:		
Springfield rifles	750	
Enfield rifles	60	
		810
Remaining on hand		1089

649 Springfield rifles, and 440 Enfield rifles.

There also remains on hand, 718 light cavalry sabres; 716 Kit-

tridge (Smith and Wesson) carbines; together with belts, plates and all other necessary appendages.

The arms remaining on hand are in good order, in store at the United States Arsenal, near the city limits.

There is due the State of Indiana from the General Goverment, under the law of April 23, 1808, "For arming and equipping the militia," her quota of arms for the years 1869, 1870, 1871 and 1872, amounting in value to the sum of about $28,480; and as the quantity of arms upon hand is getting low, I have to recommend that a requisition be made during the coming year for several thousand stand of the new breech-loading arm adopted by the Government for the use of the regular army.

A quantity of ammunition on hand at date of last report was found upon examination to be nearly worthless, and it was therefore offered for sale and disposed of; the sum received for it, $212.00, after deducting a small amount incurred as expenses of the sale, was deposited in the State treasury to the credit of the military fund.

PAY DEPARTMENT.

Under the act of the General Assembly approved March 11th, 1867, making it the duty of the Adjutant General to pay the claims for service rendered in the Indiana Legion and other organizations in the State service during the late war, warrants have been drawn upon the Auditor of State in payment of ninety-four claims, amounting in the aggregate to the sum of $1,054 81. Proper vouchers and receipts for these payments are upon file in this office.

SOLDIERS' CLAIMS.

Upon assuming the duties of Adjutant General, April 1, 1870, the State Military Claim Agency, under Dr. William Hannaman, was discontinued by your order, and the records, books, etc, and unfinished business transferred to this office. The business of collecting soldiers' claims gratuitously was also continued, in compliance with your order at the time, and I have to submit the following statement of business connected with this line of my duty: In addition to some four hundred (400) claims pending at the date of transfer, I have since placed upon file five hundred and seventeen (517) new claims, making in all nine hundred and seven-

teen (917) claims that have had my attention. Of this number two hundred and fifty-eight (258) claims for arrears of pay, bounty, etc., have been collected, amounting in value to the sum of twenty-nine thousand and seventy-one dollars and thirty cents ($29,962 30), and one hundred and eighty-three (183) pension certificates obtained, the value of which, estimating one year's payment upon each, was twenty-three thousand nine hundred and twenty dollars ($23,920 00), making the total value of claims collected gratuitously for claimants amount to the sum of fifty-two thousand nine hundred and ninety-one dollars and thirty cents ($52,991 30) from April 1, 1870, to December 31, 1872.

Fifty-two claims of various kinds have been rejected, leaving upon file at this date about four hundred and twenty-four claims, many of them of considerable importance to the claimants, generally widows, orphans, children or other heirs of deceased soldiers.

CONCLUSION.

The routine office work has had my constant attention, and the daily business of the office promptly attended to, and in this connection I may be allowed to suggest that the salary of the Adjutant General of State should be adequate to the responsibility resting upon him and commensurate for the duties he is obliged to perform.

The constant time and attention of the Adjutant General is required for the proper transaction of his official duties. Soldiers look upon the office as a "Military Intelligence office", and the Adjutant General is expected to inform himself fully upon the subject of all laws effecting the interest of soldiers or their heirs and dependant relatives. He is daily called upon to decide the legality of various decisions of the different accounting officers of the Government by claimants and Attorneys who do not think justice has been done in settlements made or where claims have been rejected, and he is moreover responsible (morally at least) for a correct interpretation of the laws and decisions referred to. He is charged with the care and proper preservation of records among the most valuable of the States archives, with the care of the ordinance of the State and the issue of arms with payments to members of the Legion for servises rendered and is expected to keep a correct record of all business transacted, and as there are no fees or perquisites of any descrip-

tion attending the office, the salary should be such as to reasonably compensate a man capable and competent to fill the position.

Thanking you for the aid and counsel given me in the discharge of my duties, I have to respectfully submit the foregoing report:

Your obedient servant,

J. G. GREENAWALT,
Adj't Gen'l of Indiana.

On motion, the message of the Governor just received, was taken up and referred to the committee of the whole House on Wednesday next for consideration with the Governor's message.

Mr. Given introduced House bill No. 283—an act to amend section twenty-seven of an act to provide for a general system of common schools, the officers thereof and their respective duties and powers, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed, approved ——— 6, 1865.

Which was read a first time and referred to the Committee on Education.

Mr. Troutman offered the following resolution:

WHEREAS, Under the provisions of an act passed by the late special session of the Legislature entitled, "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," taxes the work of assessing the personal property from the parties elected to perform the same and gives it to the real estate appraisers, and

WHEREAS, Said real estate appraisers are authorized to appoint deputies; therefore,

Resolved, That said real estate appraisers be and they are hereby requested, where the same is practicable, to appoint as said deputies the persons elected as township assessor without regard to party.

Which was adopted.

Mr. Mellett offered the following resolution:

Resolved, That any person who shall spit on or upon any register of this Hall shall be deemed guilty of contempt, and pages and employees are hereby required to report such offender to this House.

Which was adopted.

On motion by Mr. Kimball, the House adjourned until two o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Peed, chairman of the special committee appointed by the House to wait upon Gov. Hendricks, submitted the following report:

MR. SPEAKER:

The committee appointed to wait on the Hon. T. A. Hendricks, Governor elect, and the Hon. Leonidas Sexton, Lieutenant-Governor, and ascertain when it would be the pleasure of Mr. Hendricks to meet the House and Senate in joint convention for the purpose of being inaugurated and delivering his address, have complied with that duty, and have directed me to report that the Hon. Thomas A. Hendricks will meet the House and Senate in joint convention at 2:30 o'clock this day for the purpose of being inaugurated and delivering his address. The committee were unable to find Mr. Sexton.

Which was concurred in.

Mr. Tulley offered the following resolution:

Resolved, That a committee of two be appointed to inform the Senate that the House is ready to receive them in convention for the inaugural ceremonies and to receive the message of the Governor elect, and that said committee escort the Senate to this Hall at the hour mentioned for the inaugural.

Which was adopted, and the Speaker appointed Messrs. Tulley and Kirkpatrick as such committee.

Mr. Hoyer was granted an indefinite leave of absence.

The Senate then in pursuance to the invitation of the House came into the Hall of the House preceeded by the President of the Senate, when the Joint Convention was called to order by the President of the Senate.

Mr. Cauthorn, Representative from the county of Knox, moved that a committee of one on the part of the Senate, and two on the part of the House, be appointed to wait upon the Governor elect, Governor Baker and the Lieutenant-Governor elect, and conduct them to the Hall of the House of Representatives.

Which motion prevailed and the President appointed as such committee on the part of the Senate, Senator Williams, and the Speaker appointed as such committee on the part of the House, Messrs. Cauthorn and Glasgow.

The President of the Senate then said: The returns of the election for Governor and Lieutenant-Governor, having hetofore been opened and published by the Speaker of the House of Representatives in the presence of both Houses of the General Assembly and it appearing that the Hon. Thomas A. Hendricks received the highest number of votes for Governor, and the Hon. Leonidas Sexton, the highest number of votes for Lieutenant-Governor, and they having been declared duly elected to such offices respectively, we have now assembled in Joint Convention to have the oath of office administered to, and hear the inaugural address of the Governor elect.

I am impowered by the Joint Committee to wait upon the Governor and the Governor elect, and that the Governor elect is now present and ready to take the oath of office.

Prayer was offered by the Rev. J. H. Bayliss of Roberts Park Church, of Indianapolis.

The Hon. Thomas A. Hendricks, Governor elect, was then sworn into office by Hon. Samuel H. Buskirk one of the Judges of the Supreme Court of Indiana.

Governor Conrad Baker then introduced to the Senate and House of Representatives the Governor of Indiana—Hon. Thomas A. Hendricks.

Governor Thomas A. Hendricks then delivered the following Inaugural Address.

Gentlemen of the Senate and House of Representatives :

In assuming the duties of the office to which I have been chosen, I invoke God's blessing upon our people and State.

It is primary among our obligations to see that every duty which the State owes to the United States is faithfully discharged, and that the rights and powers of the State are maintained and upheld. Between the rightful authority of the State and the powers of the United States, there should be no conflict, and if they be asserted and exercised in the spirit of the constitution, and with a proper appreciation of their relations, there will be none. Under the constitution, each State and the United States are so related that support of one is infidelity to both, and hostility towards either is hostility to both. The exercise of unwarranted authority by either provokes collision, and is a public wrong.

The federal power has become so great, the area of its operations so extended, and the allurements to its service so seducive, that our most watchful care is necessary to preserve the proper dignity and just influence of the State. It should attract attention, and excite serious concern when local troubles and controversies growing out of matters wholly of State concern, are made the pretext for the interposition of federal authority and the menace of national arms. Surely you will agree with me that Indiana is so great a commonwealth, and her people are so entirely capable of self-government, that every question and controversy connected with her policy or growing out of her action, and within the sphere of her reserved sovereignty as a State of the Union, must be settled and adjusted according to her pleasure, and by her authority.

My conduct upon all questions that touch the relations between the State and the United States, shall be governed by an earnest desire to preserve the legitimate authority of both, and to maintain the most sincere harmony.

By the prompt and full discharge of every duty, and the exercise of a fraternal comity, I will labor to promote a cordial and enduring friendship between Indiana and the other States.

The welfare of the people requires that there be harmony between the Legislative and Executive departments of the State. For the recommendations I may make to you, pursuant to the constitutional requirements, I ask your respectful consideration; and I assure you that when the results of your labors shall be presented for my examination, your judgment will have its proper weight and influence upon my action; and I will take care that the laws you may pass shall be faithfully executed, in the spirit of their enactment and of the constitution.

It is not expected of me upon this occasion to consider, with any degree of particularity, the subjects of legislation that may occupy your attention at the present session. That duty has been discharged by my predecessor. But I can not avoid a reference to some subjects of special interest and importance.

Equal and just representations, and the integrity of the popular vote, lie at the foundation of public authority; and the perversion of the one, or the corruption of the other, tends to the destruction of republican and free institutions. The preservation of both is among the most sacred obligations of the legislator.

The laws regulating our elections require your special attention. They do not restrain the corrupt, nor protect the votes of the people. Our elections must not become a reproach. Their result must express the will of the people. Our system must be made so efficient as to guarantee purity in the conduct and management of the elections, and also to inspire and establish public confidence. When the people know that a political result has been brought about, all discontent disappears; they cheerfully acquiesce, and yield entire obedience to the authority thereby established. I can not now attempt to suggest all the provisions that may be essential to an efficient system, but without the following, no system will probably prove efficient:

1. A fair and real representation upon the board of election officers, of all political parties having candidates to be voted for.

2. Voting places so numerous, and the precincts so small, in respect to the voting population, that all who offer to vote may be known by the people of the neighborhood as well as by the officers.

3. A reasonable period of residence in the election precinct as

a qualification to vote, so that persons may not pretend a residence not real, in fraud of the law.

You will find an amendment of the second article of the constitution necessary to enable the Legislature to prescribe such period of residence. The Constitution wisely provides for its own amendment, by a convenient and economical proceeding, which renders it unnecessary to throw upon the people the expense of a convention, and avoids the possibility of changes not desired by them.

4. The exclusion of money, as an influence and power from the elections. If in the contests for power, money shall become stronger than the people, we will have the worst government possible. It will be a reproach to us all, when wealth can buy what the loftiest talent, and the purest virtue can not attain.

In this connection I wish to call attention to the subject of representative reform, which, during the last ten years, has been advocated by some of the best minds, both in Europe and this country, and is now undergoing the test of experience. I desire to make this the more emphatic, because in this State it seems yet to be regarded as right and proper, for the majority to deny to the minority even that representation, which an apportionment based upon population, and contiguity of counties would give. Representative reform rests upon the proposition that minorities of constituencies should have a representation as nearly in proportion to numbers as may be practicable. All the citizens contribute to the burdens of government, and should yield obedience to the laws, and it is just, equal, and fair that all should be represented. One of the ablest of English statesmen, in the debate in the House of Lords, on the reform bill of 1867, suggested this illustration; suppose a representative district, has ten thousand voters, and six thousand are of one side in politics, and four thousand of the other, would that district not be better represented if both the six thousand and the four thousand were represented, than if the votes of either be wholly rejected, and without influence or power? He added: "I can well understand men who are extremely intolerent and exclusive in politics, objecting to give any voice to those whose political views are distasteful to them; but I can not understand such an objection being urged by those who are in favor of having public opinion fairly represented."

The advantages of this reform are obvious. Political asperities would be modified; local satisfaction would be produced; the temp-

tation to corruption and bribery at elections would be greatly removed; and security and permanency would be given to the influence and power of the minority, thus securing a check upon the majority, should it become arrogant or unscrupulous, so that legislation would proceed more for the people and less for party.

This constituted a striking feature in the great reform measure of 1867 in England, a measure which greatly increased the powers and fortified the rights of the industrial classes in that country. It was partially adopted in the selection of delegates to the Constitutional Convention of 1867, in New York; it is recognized in the selection of jury commissioners and election officers in Pennsylvania; and is an important provision in the new Constitution of the great State of Illinois. This reform has also been the subject of careful consideration in Congress. On the 2d of March, 1869, Mr. Senator Wade, from a select committee, reported a bill providing for its adoption in the election of members of Congress. I will not undertake an examination of the different propositions whereby representative reform may be attained; that will be carefully considered by the Legislature, should a constitutional amendment on the subject be submitted to the people; but as a practical illustration of one of the modes, I quote the bill as reported to the Senate by Mr. Senator Wade: "A bill to amend the representation of the people in Congress. Be it enacted, etc. That in elections for the choice of Representatives to the Congress of the United States, whenever more than one Representative is to be chosen from a State, each elector of such State duly qualified, shall be entitled to a number of votes equal to the number of Representatives to be chosen from the State, and may give all such votes to one candidate, or may distribute them, equally or unequally, among a greater number of candidates, and the candidates highest in vote upon the return shall be declared elected."

The people expect at your hands substantial reforms in the civil service of the State. The Legislature of 1871 attempted the correction of many abuses, by the act of the 21st of February of that year, but the legislation has failed to accomplish most of the purposes of its enactment. Many of the courts have held important provisions invalid, for want of constitutional sanction. Extortion and constructive fees and charges should be prohibited and prevented. Complete reform will require the abandonment, in a large degree, of the system of fees and perquisites as a mode of compen-

sating public officers. As far as may be practicable, fixed salaries should be established, and all other compensation prohibited. Thereby the temptation to make questionable and unlawful charges will be removed. The compensation which you may allow should be sufficient to secure the best ability and the highest qualifications, but not large enough to promote corruption in the contests for the offices.

I cordially concur in the recommendation of my predecessor of a liberal increase in the salaries of the Judges of the Supreme Court; and I also recommend an increase in the compensation of the other judges of the State. The welfare of society is involved in the character of the judiciary. The people do not desire, nor can they well afford, the economy of cheap judges. Causes delayed, with accumulating costs; the time of jurors, parties and witnesses wasted; increased appeals to the Supreme Court; and the wrong done to private rights, all forbid it The judicial districts and circuits have, in many instances, been increased beyond the demands of the public interest. It is becoming an embarrassment in the way of providing proper compensation for an adequate number of judges.

Personal and local importunity ought not to prevail over the public good. This evil should be corrected. Unnecessary circuits and districts should be stricken out, and those that remain so adjusted as to give full employment to competent judges, and to apportion the labor equally among them. If this be thoroughly and intelligently done, upon a basis of population or business, the judiciary may be strengthened and elevated, the necessary number of judges may be well paid, and at small, if any, increase of cost to the people.

I am not prepared to say that our present judicial system is inherently defective. Many of the evils complained of result from the legislation enlarging the jurisdiction of the Court of Common Pleas, and thereby confusing the jurisdiction of that court and the Circuit Court, and perhaps the evils may be removed by your investigation and action. But if it be your judgment that a general revision and modification of the system is necessary, then I recommend that a commission of men, eminent in the law, be provided, who shall report a plan of reform at the next session of the Legislature.

I recommend that provision be made for the more secure keep-

ing of public moneys. It is not just to require public officers to retain a personal custody thereof, and to denounce degrading penalties against them if they fail therein, and at the same time to leave them without adequate protection. But in no financial policy whatever should the officers be allowed to make a gain to themselves out of the use of public money. That tends to corruption and the insecurity of the treasury.

I need not urge you to extend a protecting and fostering hand over our free schools, and to guard with anxious care the funds that support them. Coming as you do, from among the people, you can not be indifferent to an influence so important to their welfare, and to the true dignity and strength of the State.

I trust the laws you may enact will promote the moral, intellectual and material welfare of the people.

The business for which the Joint Convention was convened having been concluded, the President of the Senate declared it adjourned without day, and the Senators repaired to their chamber.

On motion, the House adjourned until 9½ o'clock to-morrow morning.

W. K. EDWARDS, Speaker.

TUESDAY MORNING.

January 14, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The Journal of yesterday was read and approved.

On motion by Mr. Furnas, the consideration of Governor Hendricks' inaugural address was made a special order for to-morrow at 4 o'clock p. m., in committee of the whole House.

Mr. Shirley moved that five thousand copies of Governor Hendricks' inaugural address be printed, fifteen hundred of which shall be printed in German, for the use of Governor Hendricks and members of the General Assembly.

Which motion prevailed.

Mr. Heller introduced House bill No. 284—an act entitled act to amend section twenty-two of an act entitled an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties.

Which was read a first time and referred to the Committee on the Judiciary.

The Speaker laid before the House the following communication from the Governor:

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, IND., January 13, 1873.

Hon. W. K. Edwards, Speaker of House Representatives:

SIR.—Samuel R. Downey, Esq., my Private Secretary, will act as Executive Messenger in the delivering of communications to the House of Representatives.

THOMAS A. HENDRICKS,
Governor.

Mr. Wesner offered the following resolution:

Resolved, That in view of the enactment of the per diem act cutting off stationery, that this House will not vote for any appropriation to pay for newspapers, and that the Senate be respectfully requested to concur herein.

Which was adopted.

Mr. Martin introduced House bill No. 285—an act for the encouragement, organization and perpetuity of reading room lectures and library associations, made by working men, authorizing gifts or devises by will or otherwise, and authorizing the board of county commissioners to make limited donations under certain circumstances, if in their discretion the same is proper and necessary.

Which was read a first time, and referred to the Committee on Education.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution of the House, to-wit:

Resolved, That a committee of three on the part of the House, to act with a like committee on the part of the Senate, to make proper arrangements, and fix the time when the persons designated by the American Woman's Suffrage Association shall have a respectful hearing before the General Assembly of the State of Indiana, with the following amendments, to-wit: Insert after the word "Resolved," in the first line, the words "By the House, the Senate concurring," in which amendment the Senate respectfully asks the concurrence of the House.

I am also directed by the Senate to inform the House that the President of the Senate has appointed as such committee Messrs. Sleeth, Rhodes and Gregg.

The message just received from the Senate was taken up, and on motion, the amendments proposed by the Senate were concurred in.

Mr. Given introduced House bill No. 286—an act defining misdemeanors and prescribing punishment therefor.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Goudie introduced House bill No. 287—an act to fix the time of holding the common pleas court in the county of Decatur, in the twenty-second district.

Which was read a first time and referred to the Committee on the Organization of Courts.

Mr. Miller presented a petition from sundry citizens of Decatur county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Mellett introduced House bill No. 288—an act supplemental to an act authorizing the construction of plank, Macadamized and gravel roads, approved May 12, 1852.

Which was read a first time and referred to the Committee on Corporations.

On motion the House took a recess of ten minutes to witness the inauguration of Hon. Leonidas Sexton, Lieutenant-Governor elect, in the chamber of the House.

The House was called to order by the Speaker.

Mr. Satterwhite was granted leave of absence until Thursday next.

Mr. Lenfesty presented petitions from various citizens of Grant county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Clark presented petition from numerous ladies of Hamilton county, asking for the speedy completion of the Indiana Reformatory Institute for Women and Girls, and that a law be enacted making the keeping or hiring an inmate of a house of prostitution a penal offense, etc.

Which were referred to the Committee on Reformatory Institutions.

Mr. Furnas presented petitions from sundry citizens of Orange county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Hedrick presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Hedrick presented petitions from sundry citizens of Henry county asking for the completion of the Indiana Reformatory Institute for Women and Girls, and to make the keeping or being an inmate of a house of prostiution, etc., a penal offense.

Which were referred to the Committee on Reformatory Institutions.

Mr. Kirkpatrick presented a petition from sundry citizens of

Howard county in relation to the completion of the Indiana Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Thayer introduced House bill No. 289—an act to amend sections one and four of an act authorizing recorders to make out complete or general indexes of records of deeds and mortgages and to procure and use seals, approved February 16th, 1852, and amended by the acts of the General Assembly of 1855.

Which was read a first time and referred to Committee on Corporations.

Mr. Billingsley introduced House bill No. 290—a bill for an act fixing the time and mode of electing a State Printer, defining his duties, fixing compensation, and repealing all laws coming in conflict with this act and declaring an emergency.

Which was read a first time and on motion referred to the following Select Committee : Messrs. Furnas, Peed and Mellett.

Mr. Peed introduced House bill No. 291—An act defining what counties shall constitute the Third Judicial Circuit.

Which was read a first time.

Mr. Peed moved that the constitutional rule be suspended, the bill read a second time by its title and a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Branham, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Coffman, Crumpacker, Dial, Durham, Edwards (of Lawrence,) Ellsworth, Given, Hatch, Hedrick, Heller, Henderson, Jones, Kirkpatrick, Lenfesty, Mellett, Miller, Offut, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart,) Thompson (of Spencer,) Tulley, Willard, Wood, Woodard, Woollen, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Baxter, Broaddus, Butts, Cobb, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hollingsworth, Johnson, Kimball, North, Offut, Ogden, Riggs, Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford,) and Woolflin—25.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Blocher, Brett, Cauthorn, Clark, Claypool, Cline, Coffman, Crumpacker, Dial, Durham, Ellsworth, Given, Glazebrook, Hatch, Hedrick, Heller, Henderson, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, North, Offut, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Spencer), Tulley, Willard, Wood, Woodard and Mr. Speaker—50.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Cobb, Eward, Furnas, Gifford, Goudie, Gronendyke, Hollingsworth, King, Odle, Ogden, Riggs, Thayer, Tingley, Thompsom (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, and Wynn—27.

So the bill failed to pass for want of a constitutional majority.

Mr. Peed introduced House bill No. 292—an act supplemental to an act entitled, "An act regulating proceedings in certain cases of bastardy, and providing for the support of illegitimate children," approved May 6, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Cauthorn was granted leave of absence until Monday next.

Engrossed House bill No. 212 was, on motion, taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Ellsworth, Eward, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, Mellett, Miller, North, Odle, Offut, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Scott, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Woodard, Wood, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Heller, Tulley and Wolflin—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring, that there be ten thousand copies of Governor Conrad Baker's message, and accompanying documents published, one thousand copies thereof to be printed in German and nine thousand copies in English; that one thousand copies of the same be delivered to the Governor for his private use, five thousand five hundred of the same be delivered to the members of the House, and the remainder be delivered to the members of the Senate.

In which the concurrence of the House is respectfully requested.

On motion by Mr. Cobb, the House adjourned until two oclock, p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment, with the Speaker in the chair.

SPECIAL ORDER.

The special order being the consideration of House bills Nos. 9 and 31.

Mr. Billingsley, Chairman of the Committee on Public Printing, submitted the following report:

MR. SPEAKER:

The committee, to whom was referred House bill No. 9, beg leave to report back to the House without recommendation, the bill herewith as a substitute for the original bill, the same having been misplaced by the committee containing the same provisions of the original bill.

House bill No. 293 substituted in lieu of House bill No. 9—an act to repeal an act entitled, "An act fixing the time and mode of electing State Printer, defining his duties, fixing compensation and repealing all laws coming in conflict with this act.

Which report was concurred in.

Mr. Billingsley, Chairman of the Committee on Public Printing, submitted the following report:

MR. SPEAKER:

The Committee on Public Printing, to whom was referred House bill No. 31, beg leave to report the same back to the House without recommendation.

Which report was concurred in.

Mr. Furnas, Chairman of the Select Committee, to whom was referred the consideration of House bill No. 290, submitted the following report:

MR. SPEAKER:

Your committee, to whom was referred House bill No. 290,

have had the same under consideration, and respectfully return the same and recommend that it pass.

Which was concurred in.

On motion by Mr. Given, House bill No. 31 was laid on the table, and two hundred copies ordered to be printed for the use of the members of the House.

On motion by Mr. Furnas, House bill No. 290 was laid on the table, and two hundred copies ordered to be printed for the use of the members of the House.

On motion by Mr. Branham, House bills Nos. 290 and 293 are made a special order for Thursday next, at 2 o'clock p. m.

Mr. Woollen moved that the constitutional rule be suspended, and House bill No. 31 read a second time and made a special order for Thursday next at 2 o'clock p. m., in connection with House bills Nos. 290 and 293.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Clark, Claypool, Coble, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Goudie, Hatch, Heller, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Reed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Walker, Wessner, Whitworth, Wilson (of Blackford,) Woollen, Wynn and Mr. Speaker—84.

Those who voted in the negative were, Messrs. Cline, Gronendyke and Hardesty—3.

So the constitutional rule was suspended, the bill read a second time and made a special order for Thursday next at 2 o'clock p. m., in connection with House bills Nos. 290 and 293.

The following message was received from the Senate by the Sectary thereof.

MR. SPEAKER:

I am directed by the Senate to inform the House of Represetatives that the Senate has adopted the following resolution of the House, to-wit:

Resolved, by the House of Representatives the Senate concurring, That there shall be appointed by the House and Senate a Joint Committee consisting of three Senators and six Representatives to which shall be referred all claims which if allowed would properly be included in the specific appropriation bill that may be presented to either House or the Senate, and after said claim has been acted upon by said committee, the chairman thereof or some other member of the committee, which he may designate, shall report to each House their action.

Also I am directed by the Senate, to inform the House that the Senate has adopted the following resolution, to-wit:

Resolved by the Senate the House concurring, That there be ordered printed ten thousand copies of the Inaugural addresses of Governor Thomas A. Hendricks and Lieutenant-Governor Leonidas Sexton, one thousand of which shall be in German, four thousand of which shall be for the use of the Governor and the remaining six thousand for the use of the members of the Senate and House of Representatives.

In which the concurrence of the House is respectfully requested.

Also, I am directed by the Senate to inform the House that the Senate has refused to concur in the following resolution of the House, to-wit:

Resolved, That in view of the enactment of the per diem act cutting off stationery that this House will not vote for any appropriation to pay for newspapers and that the Senate be respectfully requested to concur therein.

The following message was received from the Senate by the Secretary thereof:

Mr Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill thereof, to-wit:

Engrossed Senate bill No. 62—an act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, of an act entitled "An act to incorporate the town of Bluffton," approved February 12, 1851.

And also, to repeal section eleven of said act.

And the same is herewith transmitted to the House.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report on House bill No. 268 and substituting a bill in lieu thereof:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 268, appropriating one hundred thousand dollars to defray the expenses of this General Assembly, have had the same under consideration and beg leave to offer the accompanying bill as a substitute for the original to be laid on the table.

House bill No. 294, substitute in lieu of House bill No. 268—a bill appropriating one hundred and twenty-five thousand dollars to defray the expenses of the forty-eighth Regular Session of the General Assembly of the State of Indiana.

Which was read a first time.

Mr. Kimball moved that the constitution rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the constitution rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Blocher, Brett, Broaddus, Butterworth, Clark, Claypool, Cline, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollings-

worth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, Mellett, Miller, North, Offut, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—73.

Those who voted in the negative were, Messrs. Barker, Baxter, Bowser, Branham, Butts, Coffman, Dial, Martin, Shutt and Tulley—10.

So the constitutional rule was suspended, the bill read a second time by its title, considered engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Mellett, Miller, North, Offut, Ogden, Reeves, Reno, Richardson, Riggs, Rumsey, Schmuck, Scott, Smith Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Baxter, Crumpacker, Given, Johnson, McKinney, Peed, Pfrimmer, Rudder, Shutt, Thompson (of Elkhart) and Tulley—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball presented the claim of Henry Coleman for washing towels for the Special Session of 1872, for $10.00.

Which was referred to the Committee on Claims.

Mr. Baxter, Chairman of the Committee on Reformatory Institutions, submitted the following report:

Mr. Speaker:

The committee to whom House bill No. 265, defining professional prostitution was referred, report it back and recommend its passage.

Which report was concurred in and the bill read a second time.

Mr. McKinney presented petitions from sundry citizens of Jackson county praying for relief from certain railroad taxes.

Which were referred to the Committee on Railroads.

Mr. Woodard offered the following resolution:

Resolved, That the Doorkeeper be instructed to procure suitable rooms for the different committees of this House.

Which was not adopted.

Mr. Given presented the following report of the State Libarian:

To the Honorable the Legislative Assembly of Indiana, Having been called by the General Assembly of 1871, to the important and responsible position of Librarian, which I have had the honor to occupy during the past two years in agreement with the custom of this department I have hereunto transmitted to your honorable body for information and inspection, the condition of the library, and also a succint outline of my official proceedings upon my induction to the office. I found, notwithstanding the many valuable improvements of my respected predecessor, that other changes were still demanded which I have endeavored to make from time to time, and always with a scrupulous regard to economy, and the public accommodation. To meet the wants of our citizens who patronize the Library, and to give proper reception to visitors from all parts of our country, are among the important duties of the office which I have endeavored to attend to, with the strictest regard to

hospitality and politeness. The institution of public libraires has become so universally incorporated with our civilization, that our own State cannot but do honor to her intelligence and educational advancement, by any attention your honorable body may give to this subject.

What has been done thus far certainly reflects well upon the intelligence of the State, as it furnishes an appropriate neuclus for a depository library. which the coming years will doubtless honor as one of the leading evidences of the State's intelligence and prosperity. The library as it now is, though far from being as extensive as many others in the United States, already fills all of our available space and we are consequently cramped for room to even find places of deposit for many volumes of books and newspaper files which otherwise might attract very general attention. The additional volumes which have been made to the library during my term of office have been small, from the fact of our appropriations being limited, and also from the pressing demands, which I found made in order to their preservation, of having many of our newspaper files bound, as well as the rebinding of a number of valuable books, which in my judgment should not be lost. I wish to acknowledge the donation of a number of excellent works to the library, for which the doners should have the public thanks. I also take pleasure in acknowledging, through his Excellency, Governor Baker, from Thomas H. Nelson, our Minister to Mexico, a unique cast of an ancient Aztee calender of Dials, from which, as a relic of the early settlers of our continent, is as rare as it is instructive and novel.

Minister Nelson also sent to Governor Baker a very excellent portrait of his Excellency, ex-President Juarez, of the Mexican Republic, and also one of the present chief magistrate of this neighboring government, Sebastian Serdo de Trejara, both of which the Governor had beautifully framed, and has deposited in our library rooms through the Secretary of State. The library is in exchange communication with most of the States of the Union in journals and State documents, which I find to be quite a desideratum in the numerous demands made upon our collections. In regard to the Adjutant General's report, left in the library on sale, I have only to remark that I have found no demand for them, the future, no doubt, will develope their historical importance, and lead to many inquiries for them. With very considerable labor I

have prepared a new and classified catalogue of all the works in the library, which is found to be a great convenience in the prompt accommodation of visitors, a copy of which I have forwarded to all the State libraries of the government. From this catalogue it may be seen that we have in the library at the present time, sixteen thousand and thirty-nine volumes, comprehending in the lists most of the standard and popular works of the times, as well as a miscellaneous character as any official depository of our legislative enactments.

I have found the library to be a great public convenience, especially in the times of your session, as well as through the year, to other State officers. Our register, which I have had adopted, has been of some considerable advantage, as it shows that the library is visited largely by many of the best citizens of the State, and also by many others from all parts of the Union. To enable a large class of our citizens, who have no other time or opportunity of availing themselves of the privilege of the library, I have kept it open on Sundays and holidays, although not required to do so by any enactment.

As the custodian of the State House and its general surroundings, I have, under the direction of the State officers, made such improvements from time to time as circumstances have demanded, as I have also, under the same orders, prepared the Halls of Legislation, and the main entrance hall of the capitol for the reception of the General Assembly as well as the funds allowed me would justify.

All accounts and bills for the purchase of books, expressage, postage, improvements, and incidental expenses connected with the library during my term of office, will be found on file in the office of the Auditor of State.

As the library is always open for inspection, I respecfully invite the standing committees and all other members of your honorable body to visit the rooms whenever it is convenient, that they may see for themselves, and be the better qualified to make such suggestions as they may deem proper for the action of your honorable body.

I have the honor to be, very respectfully,

JAMES DeSANNO,
State Librarian.

On motion by Mr. Woollen, the report was laid on the table.

On motion by Mr. Baker, the House adjourned until to-morrow morning at 9:30 o'clock, a. m.

This journal was read in the hearing of all the committees, and found to be correct.

W. K. EDWARDS,
Speaker.

WEDNESDAY MORNING.

JANUARY 15, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when, on motion by Mr. Crumpacker, the further reading of the same was dispensed with.

The message of the Senate, in relation to printing ten thousand copies of Governor Baker's message and accompanying documents, was taken up.

Mr. Shirley moved to amend by striking out the words "and accompanying documents."

Which amendment was adopted.

On motion by Mr. Butterworth, the Senate message and amendment were referred to the Committee on Printing, with instructions to report thereon immediately.

Mr. Martin introduced House bill No. 295—an act to amend an act entitled, "An act to prevent immigration from any other State into this State, or from one county or township in this State to another county or township in this State, for the purpose of influencing or carrying the election in such other county or township, and prescribing penalties against persons aiding, abetting, counselling or engaging therein," approved March 5, 1859; and also to amend sections fifty-seven and sixty-one of chapter seven of an act defining misdemeanors and punishment thereof, approved June 14, 1852, shall be amended as follows:

Which was read a first time and referred to Committee on Elections.

Mr. Brett presented the claim of N. B. Taylor, for legal services, to the amount of $1,500.

Which was referred to the Committee on Claims.

Mr. Given introduced House bill No. 296—an act supplemental to an act entitled, "An act to provide for the care and treatment of the incurable insane of the State of Indiana, and matters properly connected therewith," approved Dec. 21, 1865.

Which was read a first time and referred to the Committee on Benevolent Institutions.

Mr. Miller introduced House bill No. 297—an act supplemental to an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies, approved May 12, 1869.

Which was read a first time and referred to the Committee on Railroads.

Mr. Thompson, of Elkhart, introduced House bill No. 298—an act to limit the time in which actions may be commenced for the recovery of real estate sold for taxes.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Scott presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Rumsey presented a petition from sundry citizens of Tipton county on the subject of temperance.

Which was referred to the Committee on Temperance

Mr. Rumsey offered the following resolution:

Resolved, That it is the sense of this House, and especially so, as our constituents are urging the Assembly to pass a good tem-

perance law, therefore it is the duty of the temperance committee to make an early report to this House.

Which was adopted.

Mr. Branham introduced House bill No. 299—an act to allow a bounty for red fox scalps, providing for the payment thereof, prescribing the duties of County Treasurers and Clerks in relation thereto, and authorizing the County Commissioners to allow an additional bounty for such scalps.

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Branham introduced House bill No. 300—an act supplemental to an act entitled, "An act to authorize aid to the construction of railroads by counties and townships taking stock in and donating to railroad companies," approved May 12, 1869, and to repeal so much of said act as confers the power on counties, and to amend sections 1, 14, 16 and 17, and to repeal section 15.

Which was read a first time and referred to the Committee on Railroads.

Mr. Broaddus, Chairman of the Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed House bill No. 265, with the original copy and find the same correctly engrossed.

Mr. Woollen introduced House bill No. 301—an act to change the time of holding the circuit courts of Bartholomew county at its summer term.

Which was read a first time.

Mr. Woollen introduced House bill No. 302—an act fixing the time of holding the common pleas court in the county of Bartholomew.

Which was read a first time.

Mr. Thayer introduced House bill No. 303—an act to amend sections two and six of an act entitled, "An act providing for a geological survey, and for the collection and preservation of a Geological and Mineraological Cabinet of the natural history of this State and creating the office of State Geologist, defining his duties, fixing his salary and appropriating a sufficient amount of money to defray the necessary expenses of said survey and the collection and preservation of said cabinet.

Which was read a first time and referred to the Committee on Manufactures and Commerce.

Mr. Wood introduced House bill No. 304—an act reorganizing the ninth Judicial Circuit, and fixing times of holding courts therein.

Which was read a first time and on motion of Mr. Henderson, was referred to the following select committee: Messrs. Henderson, Wood and Richardson.

Mr. Kimball introduced House bill No. 305—an act in relation to the sale of appraised property, upon execution and declaring an emergency.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Kimball, introduced House bill No. 306—an act to regulate the recording of instruments, declaring the legal effect thereof, repealing all laws in conflict herewith and declaring an emergency.

Which was read a first time and on motion of Mr. Kimball was laid on the table and 200 copies ordered to be printed for the use of the members of the House.

Mr. Eward presented petitions in relation to the completion of the Indiana Reformatory Institute for Women and Girls, etc.

Which were referred to the Committee on Reformatory Institutions.

Mr. Reeves introduced House bill No. 307—an act for the relief of Emsley Wilson, declaring the title of the State of Indiana to certain lands described therein to be vested in the said Wilson, his heirs and assgnees, and declaring an emergency.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Schmuck presented the claim of Mrs. Ann Fowmer. for $87.70, which was referred to the Committee on Claims.

Mr. Whitworth introduced House bill No. 308—a bill requiring Clerks of Circuit and Common Pleas Courts to make indexes of certain records in their offices where the same has not been done.

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Whitworth introduced House bill No. 309—an act to prevent the forfeiture by certain railroad companies of county aid which has been voted to them in certain cases.

Which was read a first time and referred to the Committee on Railroads.

Mr. Hatch presented a petition from sundry citizens in relation to the completion of the Indiana Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Ogden introduced House bill No. 310—a bill for an act fixing the time of holding the courts in the twelfth Common Pleas district.

Which was read a first time and referred to the Committee on Organization of Courts.

Mr. Ogden introduced House bill No. 311—a bill for an act fixing the time of holding the courts in the fifth judicial circuit.

Which was read a first time and referred to the Committee on the Organization of Courts.

The following message was received from the Senate by the Secretary thereof.

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following bill thereof, to-wit:

Engrossed Senate bill No. 168, entitled, a bill supplemental to an act entitled "An act in relation to the organization of the two houses of the General Assembly, prescribing the number of officers and employees of each house, and regulating their duties, and declaring an emergency," and the same is herewith transmitted to the House of Representatives.

Mr. Tingley presented petitions from sundry citizens on the subject of temperence.

Which was referred to the Committee on Temperance.

Mr. Butts presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Hollingsworth presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Hollingsworth introduced House bill No. 312—an act to prescribe an official oath or affirmation and to prescribe a cause for and a manner of removal from office any person holding office in this State.

Which was read a first time and referred to the Committee on Temperance.

Mr. Cowgill presented a petition from sundry citizens of Wabash county in relation to the Indiana Reformatory Institute for Woman and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Dial introduced House bill No. 313—an act defining what counties shall constitute the fifteenth judical circuit.

Which was read a first time, and on motion of Mr. Dial, laid on the table.

Mr. Tuley introduced House bill No. 314—an act to prevent negligent or careless riding or driving on public higways.

Which was read a first time and referred to the Committee on Rights and Privileges.

The message of the Senate in relation to printing ten thousand copies of Governor Hendricks and Lieutenant-Governor Sexton's message was taken up, and on motion, was referred to the Committee on Printing.

The message of the Senate refusing to concur in the resolution of the House in relation to the per diem act cutting off stationery, and that the House will not vote for any appropriation to pay for newspapers, and asking the concurrence of the Senate therein, was taken up.

Pending the consideration of which, Mr. Woollen introduced House bill No. 315—an act supplemental to an act fixing the per diem of members of the General Assembly and providing that no additional compensation shall be allowed.

Which was read a first time, and on motion, the bill and the message of the Senate, in relation to the same subject, were referred to the following select committee, viz: Messrs. Woollen, Willson (of Ripley), and Wood.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, that the two Houses of this General Assembly meet in joint convention in the Hall of the House of Representatives on Thursday the 16th inst., at half past two o'clock p. m., to hear memorials and addresses from the Indiana State Woman's Suffrage Association.

In which the concurrence of the House is respectfully requested.

Amend by striking out "Thursday the 16th inst." and insert "Friday the 17th inst."

Mr. Billingsley, Chairman of the Committee on Public Printing, submitted the following report:

Mr. Speaker:

The committee to whom was referred a joint resolution providing for the printing of the Governor's message and accompanying documents herewith, beg leave to report back the resolution, and recommend that five thousand be inserted in the place of ten thousand, as the entire number to be printed, and that five hundred be inserted instead of one thousand copies, be for use of the retiring Governor, and the remainder be for the use of House and Senate. Strike out the words, "accompanying documents."

Thus amended, we recommend the concurrence of the House in the same.

Which was concurred in.

Mr. Billingsley, Chairman of the Committee on Public Printing, submitted the following report:

Mr. Speaker:

The committee to whom was referred the joint resolution providing for the printing of the inaugural address of Thomas A. Hendricks and Lieutenant-Governor Leonidas Sexton, report back the resolution and recommend that "six thousand" be inserted instead of "ten thousand;" that "two thousand" be inserted instead of "four thousand" copies, for the use of the Goverernor and Lieutenant-Governor, thus amended we recommend the concurrence of the House in the same.

Which was concurred in.

Mr. Satterwhite, from the joint committee, to whom was referred the matter of conferring with the agent of the Woman Suffrage Association, etc., submitted the following report:

Mr. Speaker:

The joint committee to whom was referred the duties of conferring with the agents of the American Woman's Suffrage Association, and making proper arrangements for their speakers to have a respectful hearing before the General Assembly, have performed that duty, and respectfully report that they have agreed

upon 2:30 o'clock p. m., on next Friday, as the proper time for such hearing.

Which was concurred in.

On motion by Mr. Willson, of Ripley, House bill No. 179 was taken from the Speaker's table and referred to the Committee on the Judiciary.

On motion, House bill No. 201 was taken up and referred to the Committee on Cities and Towns.

On motion, House bill No. 236 was taken up and referred to the Committee on the Judiciary.

On motion, House bill No. 261 was taken up, read a second time and ordered to be engrossed.

House bill No. 260 was taken up, and on motion of Mr. Cobb, was laid on the table.

House bill No. 225 was taken up, read a second time and ordered to be engrossed.

On motion by Mr. Baker, House bill No. 203 was taken up and referred to the Committee on Manufactures and Commerce.

House bill No. 217 was taken up and read a second time.

Mr. Shirley moved to refer said bill to the Committee on the Judiciary.

The question being, shall House bill No. 217 be referred to the Committee on the Judiciary?

Whereupon Messrs. Cobb and Glasgow demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Bowser, Broaddus, Cowgill, Edwards (of Lawrence,) Goudie, Hatch, Heller, Jones, Kirkpatrick, Lenfesty, North, Offut, Ogden, Peed, Prentiss, Riggs, Rumsey, Satterwhite, Scott, Shirley, Smith, Tingley, Walker, Whitworth, Wilson (of Blackford,) and Willson (of Ripley)—30.

Those who voted in the negative were, Messrs. Billingsley, Blocher, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Given, Glasgow, Glazebrook, Gronendyke, Hedrick, Henderson, Hollingsworth, Isenhauer, King, Lent, Martin, McConnell, McKinney, Miller, Odle, Pfrimmer, Reeves, Reno, Richardson, Rudder, Schmuck, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—53.

So said bill was not referred to the Committee on the Judiciary.

On motion by Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

SPECIAL ORDER.

The special order being the consideration of Governor Baker's message in committee of the whole House, the Speaker called Mr. Woollen to the chair.

After some time spent in committee of the whole House, the committee rose, whereupon, Mr. Woollen, chairman of the committee of the whole House, submitted the following report:

MR. SPEAKER:

The committee of the whole House have had under consideration the message of Governor Conrad Baker, and have directed me to report progress and ask leave to sit again at 3 o'clock, p. m.

Which report was concurred in.

House bill No. 217, was taken up, whereupon Mr. Shirley offered the following amendment:

That all bills of exchange executed within this State, and made payable either within or without this State, and all promissory

notes executed within this State, and made payable in or at a bank either within or without this State, upon any suit upon such bill or note by any assignee or assignees, the maker or makers thereof shall have the right to file a special answer, under oath, alleging that the consideration of such bill or note was given for a patent right, or the right to use a patented article, and upon an issue formed upon such answer, and trial had and finding thereon in favor of such maker or makers, then such maker or makers shall have the right to file an answer setting out therein all defenses against such bill or note in the same manner and same defense they would have in a suit by the payee or payees thereof.

Mr. Cobb moved to lay the amendment on the table.

Which motion did not prevail.

On motion by Mr. Furnas, said bill and amendment were referred to the Committee on Manufactures and Commerce.

Mr. Jones introduced House bill No. 316—a bill to authorize Township Trustees to levy an additional tax to the amount now authorized by law not exceeding twenty-five cents on each one hundred dollars worth of taxable property in any one year for the purpose of paying, satisfying and liquidating debts made and contracted by such trustee in the construction, repairing or completing of school houses and providing furniture and school apparatus therefor, and declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Engrossed House bill No. 200 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirk-

patrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Reed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Spencer,) Thompson (of Elkhart,) Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—82.

Those who voted in the negative were, Messrs. Broaddus and Tingley—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered

Mr. Baker was granted leave of absence until Monday next.

House bill No 96 was taken up, read a second time, and, on motion of Mr. King, referred to the Committee on Railroads.

House bill No. 213 was taken up, read a second time, and ordered to be engrossed.

Mr. Baker offered the following resolution:

Resolved, That the special order for to-morrow afternoon, Thursday, the 16th inst., at 2 o'clock, on the subject matter of State printing, be postponed until Tuesday afternoon, the 21st inst., at 2 o'clock.

The question being, shall the resolution pass, whereupon Messrs. Shirley and Brett demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Blocher, Clark, Cline, Cobb, Cowgill, Gifford, Glazebrook, Hatch, Hollingsworth, Johnson, Kimball, Lenfesty, Lent, McKinney, Reeves, Riggs, Schmuck, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Walker, Willson (of Ripley) and Mr. Speaker—25.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskerk, Butterworth, Claypool, Cauthorn, Cole,

Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Given, Glasgow, Goudie, Gronendyke, Hedrick, Heller, Henderson, Isenhauer, Jones, King, Kirkpatrick, Martin. McConnell, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reno, Richardson, Rudder, Rumsey, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Woollen and Wynn—61.

So the resolution was not adopted.

House bill No. 183 was taken up, and on motion of Mr. Walker was laid on the table.

Engrossed House bill No. 219 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offut, Ogden, Prentiss, Reeves, Reno, Richardson, Rudder, Riggs, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer. Tingley, Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—78.

Those who voted in the negative were, Messrs. Anderson, Baker, Gifford, Given, Lent, Strange and Thompson (of Elkhart)—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

SPECIAL ORDER.

The special order being the consideration of Governor Baker's message, in committee of the whole House.

The Speaker called Mr. Woollen to the chair.

After some time spent in the committee of the whole House, the committee arose; whereupon, Mr. Woollen, chairman of the committee of the whole House, submitted the following report:

MR. SPEAKER:

The committee of the whole House on the message of his Excellency, Governor Baker, having according to order, had the same under consideration, have adopted the following resolution, to-wit:

Resolved, That so much of Governor Baker's message as relates to State debt and finances, be referred to the Committee on Ways and Means.

That so much as refers to Sinking Fund, be referred to the Committee on Sinking Fund.

So much as relates to the duties and salary of Attorney General, be referred to the Committee on the Judiciary.

So much as relates to a bureau of statistics, be referred to the Committee on Statistics and Immigration.

So much as refers to feeble minded and idiotic children, and so much as relates to a reformatory for women and girls, be referred to the Committee on Reformatory Institutions.

So much as refers to educational and agricultural college be referred to the Committee on Education.

So much as refers to a constitutional convention, legislative practice and pardons, and the donation of law books to the Chicago Law Institute, to the Committee on the Judiciary.

So much as refers to the Centennial celebration, the Washington monument, and the joint resolution of the General Assembly of Ohio to the Committee on Federal Relations.

So much as relates to the memorial of the American Suffrage Association, to the Committee on Rights and Privileges.

So much as relates to the State Geologist, to the Committee on Scientific and Benevolent Institutions.

So much as relates to intemperance, be referred to the Committee on Temperance.

And upon rising have directed me to report the same back, and to ask the concurrence of the House therein.

Which report was concurred in and the resolution adopted.

House bill No. 122 was taken up, and by consent of the House, laid over informally.

House bill No. 291 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Given, Glasgow, Glazebrook, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Offut, Peed, Reeves, Reno, Richardson, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Broaddus, Eward, Goudie, Gronendyke, Johnson, Miller, Odle, Riggs, Strange, Tingley, Troutman, Walker, Whitworth and Wynn—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

House bill No. 76 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Clark, Claypool, Cline, Cobb,

Coffman, Cowgill, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reno, Reeves, Richardson, Riggs, Rudder, Rumsey. Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Whitworth, Wilson (of Blackford,) Woolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—79.

Those who voted in the negative were, Messrs. Anderson, King, Peed and Tulley—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Mr. Anderson moved the call of the House.

Which motion prevailed.

Those who answered to their names were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Brett, Broaddus, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinny, Miller, North, Odle, Offut, Ogden, Peed, Prentiss, Reno, Reeves, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford,) Woolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—80.

On motion by Mr. Furnas, the further proceedings under the call were dispensed with.

Senate bill No. 150 was taken up, read a second time, and ordered to a third reading.

Mr. Miller introduced House bill No. 317—an act providing that certain notes and bills of exchange shall be void.

Which was read a first time and referred to the Committee on Manufactures and Commerce.

SPECIAL ORDER.

The special order being the consideration of the inaugural address of Governor Thomas A. Hendricks in committee of the whole House, the Speaker called Mr. Woollen to the chair.

After some time spent in the committee of the whole House, the committee rose; whereupon, Mr. Woollen, chairman of the committee of the whole House, submitted the following report:

Mr. Speaker:

The committee of the whole House on the inaugural message of his Excellency, Governor Hendricks having had the same under consideration according to order, adopted the following resolution viz:

Resolved, That so much of the inaugural address of Governor Hendricks, as relates to the relation between the State and the United States, be referred to the Committee on Federal Relations.

That so much as relates to elections and representation reform, form, be referred to the Committee on Elections.

That so much as relates to civil service reform of the State Government, be referred to the Committee on Rights and Privileges.

That so much as relates to our present judicial system, be referred to the Committee on the Judiciary.

That so much as relates to the public monies, be referred to the Committee on Trust Funds.

That so much as relates to public schools be referred to the Committee on Education.

When rising directed me to report the same back with the request that the House concur therein.

Which report was concurred in and the resolution adopted.

Mr. Lenfesty moved to reconsider the vote taken on the passage of House bill No. 291.

Mr. Peed moved to lay the motion to reconsider on the table.

The question being, shall the motion to reconsider the vote taken on the passage of House bill No. 291 be laid on the table.

Whereupon Messrs. Peed and Dial demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Bowser, Brett, Buskirk, Claypool, Cline, Crumpacker, Dial, Durham, Eaton, Ellsworth, Furnas, Given, Glazebrook, Hedrick, Henderson, Isenhauer, Jones, Martin, McConnell McKinney, North, Peed, Pfrimmer, Reno, Richardson, Rudder, Rumsey, Schmuck, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart,) Talley, Wilson (of Blackford), and Woollen—44

Those who voted in the negative were, Messrs: Baxter, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Eward, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hollingsworth, Johnson, King, Kirkpatrick, Lenfesty, Lent, Miller, Odle, Ogden, Prentiss, Riggs, Scott, Tingley, Troutman, Walker, Wesner, Whitworth, Woollen, Wood, Woodard, Wynn and Mr. Speaker—37.

So the motion to reconsider was laid on the table.

On motion of Mr. Cobb, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

THURSDAY MORNING.

January 16, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when, on motion by

Mr. Crumpacker, the further reading of the same was dispensed with.

Mr. Barrett introduced House bill No. 318—an act to amend section second of an act to discourage the keeping of useless and sheep-killing dogs, etc., approved March 2, 1865.

Which was read a first time and referred to the Committee on Rights and Privileges.

Mr. Miller introduced House bill No. 319—an act defining the crime of embezzlement by certain officers, and prescribing the punishment therefor.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Rumsey introduced House bill No. 320—an act relating to the duties of county surveyors, extending the same and repealing all acts inconsistent therewith.

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Furnas presented the claims of Martin A. Reeder, of Winchester, Indiana, for extra services for building the House of Refuge at Plainfield, Indiana.

Which was referred to the Committee on Claims.

Mr. Kirkpatrick introduced House bill No. 321—an act in relation to the fees of justices of the peace and constables.

Which was read a first time and referred to the Committee on Fees and Salaries.

Mr. Jones introduced House bill No. 322—an act to regulate the sale of intoxicating liquors by druggists not licensed to retail the same.

Which was read a first time and referred to the Committee on Temperance.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has concurred in the amendment of the House to the following resolution of the Senate, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, That the two Houses of the General Assembly meet in joint convention in the Hall of the House of Representatives, on Thursday, the 16th inst., at half past 2 o'clock p. m., to hear memorials and addresses from the Indiana State Woman's Suffrage Association—in which the House struck out Thursday, the 16th inst., and inserted Friday, 17th—and the Senate respectfully asks the concurrence of the House in the following amendment to the amendment of the House: Strike out the words 2½ o'clock p. m., and insert the words 10½ o'clock a. m.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 297, under instructions from the House, report the same back without recommendation.

Which bill was read a second time, and on motion of Mr. Miller, recommitted to the Committee on Railroads, with instructions to report the same back on Tuesday next, at 9:30 o'clock a. m., and made special order for that hour.

Mr. Woodard introduced House bill No. 323—an act providing for the payment to the township trustees of all moneys which shall have been collected from a township for special or specific purposes, and providing penalties for the violation of the provisions of this act.

Which was read a first time, and referred to the Committee on Rights and Privileges.

Mr. Woodard presented a memorial from John T. Campbell on the subject of railroad land.

Which was referred to the Committee on County and Township Business.

Mr. Woodard introduced House bill No. 324—an act to authorize the election of a county engineer and three road commissioners, and the appointment of an engineer general, and defining their qualifications and duties, and providing for the laying out, locating, changing and vacating, contracting, repairing and maintaining public highways, and for levying, collecting and expending road tax and repealing all laws and parts of laws in conflict therewith.

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Woodard introduced House bill No. 325—an act declaring what offices shall be deemed lucrative.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Smith introduced House bill No. 326—an act to amend section thirty-eight of an act entitled "An act providing for the election and qualification of Justices of the Peace and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Butts introduced House bill No. 327—an act to regulate the sale of intoicating liquors, to provide against the evils resulting from the sale thereof, to furnish remedies for damages suffered by any person in consequence of such sales, prescribing penalties, to repeal all laws contravening the provisions of this act and declaring an emergency.

Which was read a first time, and on motion by Mr. Butts, laid on the table and five hundred copies ordered to be printed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to the following resolutions of the House, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, That there be ten thousand copies of Governor Conrad Baker's Message and accompanying documents printed, one thousand copies thereof to be printed in German and nine thousand copies in English; that one thousand copies be delivered to the Governor for his private use, five thousand five hundred to be delivered to the members of the House, and the remainder to be delivered to the members of the Senate. Also,

I am directed by the Senate to inform the House that the Senate has concurred in the amendments of the House to the concurrent resolution of the Senate in relation to the printing of the Governor's and Lieutenant-Governor's inaugural addresses. Also,

I am directed by the Senate to inform the House that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring, That the order directing the printing of the report of the Secretary of State be taken to mean and so construed as to exclude the Appendix or Exhibits accompanying said report.

In which the concurrence of the House is respectfully requested.

Mr. Spellman presented petitions from sundry citizens of Shelby county, asking for the passage of Senate bill No. 31.

Senate bill No. 88, was taken up and read for the information of the House, and, on motion, referred to the Committee on Swamp Lands.

Senate bill No. 150, was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Goudie, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Miller, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves Reno, Richardson

Riggs, Rumsey, Satterwhite, Scott, Shutt, Smith, Spellman, Stanley, Strange, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woollen, Wynn and Mr. Speaker—73.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker laid before the House the report and effects of the Bank of the State of Indiana, made on the third Saturday of November (16th day), 1872.

Which was referred to the Committee on Banks.

Senate bill No. 159 was taken up and on motion referred to the Committee on the Judiciary.

Senate bill No. 2 was taken up and on motion, referred to the Committee on Banks.

House bill No. 301 was taken up and read a second time.

Mr. Woolen moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Branham, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth,

Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—73.

Those who voted in the negative were, Messrs. Baxter, Ellsworth, Pfrimmer, Reeno, Rumsey and Mr. Tingley—6.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woollen, Wynn and Mr. Speaker—83.

Mr. Cline voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

House bill No. 302 was taken up and read a second time.

Mr. Woollen moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Bus-

kirk, Butterworth, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Groenendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball. King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, North, Odle, Offut, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart,) Thompson (of Spencer), Troutman, Walker, Wessner, Whitworth, Wilson (of Blackford,) Woolflin, Wood, Woollen, Wynn and Mr. Speaker—77.

Those who voted in the negative were, Messrs. Baxter, Bowser, Ellsworth, Martin, Pfrimmer, Scott and Tingley—7.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Schutt, Smith, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Walker, Whitworth, Wilson (of Blackford,) Wolflin, Wood, Woollen, Wynn and Mr. Speaker—76.

Mr. Crumpacker voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

House bill No. 101 was taken up; read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Bowser, Branham, Butts, Cline, Coffman, Durham, Eaton, Gifford, Given, Glasgow, Glazebrook, Gronendyke, Hatch, Jones, Lenfesty, Martin, North, Odle, Ogden, Richardson, Riggs, Rumsey, Satterwhite, Spellman, Stanley, Strange, Thayer, Troutman, Walker, Wesner, Wilson (of Blackford,) Wolflin, Woollen and Wynn—38.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Blocher, Broaddus, Buskirk, Butterworth, Clark, Claypool, Cobb, Cole, Crumpacker, Dial, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Goudie, Hardesty, Henderson, Hollingsworth, Isenhauer, Kimball, King, Lent, McConnell, McKinney, Miller, Offut, Reeves, Reno, Rudder, Scott, Shutt, Teeter, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Wood, Woodard and Mr. Speaker—41.

So the bill did not pass.

The message of the Senate in relation to the time of hearing the addresses of the Indiana Woman's Suffrage Association, was taken up.

The question being, shall the amendment proposed by the Senate be concurred in?

It was not concurred in.

The message of the Senate in relation to the printing the report of the Secretary of State was taken up, and on motion, the amendment proposed by the Senate was concurred in.

Mr. Cole introduced House bill No. 328—a bill providing for the letting of the State printing to the lowest bidder, and providing that the Governor, Secretary of State and Auditor of State shall be, *ex officio*, commissioners of public printing, and providing for the appointment of a superintendent of public printing, and abolishing the office of State printer.

Which was read a first time and made a special order for this 2 o'clock p. m.

Engrossed House bill No. 265 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Broaddus, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Durham, Eaton, Ellsworth, Eward, Furnas, Gifford, Given, Glazebrook, Goudie, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, North, Odle, Offut, Riggs, Rudder, Rumsey, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woollen, Wynn and Mr. Speaker—57.

Those who voted in the negative were, Messrs. Barker, Blocher, Buskirk, Butterworth, Dial, Eaton, Glasgow, Henderson, Pfrimmer, Reno, Richardson and Schmuck—12.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Mr. Wolflin was granted leave of absence until Monday next.

On motion by Mr. Furnas, the House adjourned until 2 o'clock

AFTERNOON SESSION.

The House met pursuant to adjournment, the Speaker in the chair.

By consent of the House, Mr. Wood introduced House bill No. 329—an act to repeal section forty-seven of an act defining felonies and prescribing punishment therefor, approved June 10, 1852.

Which was read a first time and referred to the Committee on the Judiciary.

SPECIAL ORDER.

The special order being the consideration of House Enrolled Act No. 227, which had been vetoed by Governor Baker, was taken up and the objections of the Governor read and ordered to be entered at large upon the Journal of the House.

OBJECTIONS OF THE GOVERNOR.

Hon. Speaker of the House of Representatives:

SIR:—I have the honor to transmit herewith Enrolled Act No. 227, of the House, which passed the General Assembly of Indiana at the last session, with the objections of the Governor thereto attached, being returned to the General Assembly as required by section fourteen, article five of the Constitution.

Very respectfully,

J. H. FARQUHAR,
Secretary of State.

EXECUTIVE DEPARTMENT,
INDIANALOLIS, December 24, 1872.

Enrolled act of the House of Representatives, No. 227, passed the General Assembly of Indiana at its late Special Session, and was presented to me on the 19th day of December, 1872, and said General Assembly adjourned on the 21st day of December, 1872, without day.

By the 14th Section of the 5th Article of the Constitution, under the circumstances above stated, this bill would become a law, unless within five days next after the adjournment of the Legislature I should file the same with my objections thereto in the office of the Secretary of State.

In pursuance of this provision of the constitution, I now file said bill in the office of the Secretary of State, with my objections thereto, as the same are hereinafter stated—to the end that the Secretary of State may lay said bill, with these objections, before the General Assembly at its next session, as required by the constitution. The bill under consideration reads as follows, viz:

An act providing for the payment to township trustees of all

moneys which shall have been collected from townships for either general, special, or specific purposes, except such moneys as may have been collected from townships for State and county revenue, and prescribing punishment of officers failing to comply with the requirements hereof, and repealing all laws inconsistent therewith, and declaring an emergency.

SECTION 1. *Be it enacted by the General Assembly of the State of Indiana*, That in all cases where moneys have been collected from a township for either general, special, or specific purposes by the treasurer of any county within this State, except such moneys as may have been collected from townships for State and county revenue, the auditor of such county shall, upon being notified by the trustee of such township of the collection of such money as aforesaid, and upon the execution of a bond by such trustee or trustees, as the case may be, with good and sufficient freehold surety in double the amount of money so collected from each township as aforesaid, to the satisfaction of such auditor, shall immediately draw his warrant or warrants upon the treasurer of such county for such amount of money so collected as aforesaid, and deliver the same to the trustee of each township from which said moneys shall have been collected, and such treasurer shall pay over such moneys to such trustee or trustees as aforesaid immediately after such warrant or warrants as aforesaid shall be delivered to him by such trustee or trustees as aforesaid.

SEC. 2. Be it further enacted, that any officer failing to comply with the provisions of this act, shall be liable to a penalty in a sum not less than one nor more than five thousand dollars, to inure to the benefit of each township from which such moneys shall have been collected, which penalties shall be collected by suit in any court having jurisdiction in the name of the trustee of such township from which the same shall be withheld, and such officer shall also be imprisoned in the county jail for a period of not less than three months nor more than twelve months.

SEC. 3. Be it further enacted, that all laws inconsistent with the provisions of this act, are hereby repealed.

SEC. 4. And whereas, an emergency exists for the immediate taking effect of this act, it shall therefore take effect and be in force from and after its passage.

The intention of the act would seem to be to compel the distribution of all public moneys in the county treasury of any county, which were collected from the people of the several townships by taxation or otherwise among the several townships trustees of such townships, save and except only such monies as were collected for State and county revenue. The purposes of such distribution is not disclosed by the act, but from the fact that no duties are imposed by it on the township trustees in relation to the moneys to be distributed, it may be fairly inferred, that the intent of the act is not to benefit the public, but the Trustees who are to have the handling of the money.

This inference is strengthened by the fact that whilst the trustee is required to give a bond with security to the acceptance of the Auditor in double the amount of the money to be received by him, the act is utterly silent as to the condition of this bond. Another evidence that the main purpose of the act is to get the money into the hands of the township trustees without much concern, as to what is done with it afterwards, may be gathered from the fact that the second section of the act attempts to impose penalties on county treasurers, who shall fail to pay over moneys contemplated by the act to township trustees. Such as are entirely disproportioned to the offense and of unprecedented severity.

The offense under the first section of the act may consist in the failure of a county treasurer to pay over to the township trustee a few dollars, (say five or twenty dollars, by way of example,) but the penalty under the second section for such a trivial omission, *must* be a fine of not less than one thousand nor more than five thousand dollars, and to this enormous pecuniary penalty, *must* be added the imprisonment of the county treasurer for a period of not less than three, nor more the twelve months.

The inference as to the purpose of the act being to put money in the hands of township trustees, right or wrong becomes a demonstration. When it is remembered that the constitution of the State constitutes all fines assessed for the breach of the penal laws of this State, a part of the common school fund and requires all criminal prosecutions to be carried on in the name and by the authority of the State, but this act provides for the assessment of fines and declare that they shall inure to the benefit of the township, and provides for criminal prosecution, to be conducted, not in

the name of the State, but in the name of the several township trustees.

The statute law of the State as it now exists, provides that each county treasurer immediately after his annual settlement with the county auditor, in May, shall on the warrant of such auditor pay over to the township trustee, all moneys in in his hands belonging to the township.

If the bill to which these objections are made should become a law, instead of the treasurer of the county paying on settlement and on ascertainment of the balance due to the township, he might be subjected to daily or weekly annoyances by having warrants drawn upon him for every small sum collected by the treasurer, the same not being State or county revenue. As each resident of the township paid his tax the trustee might notify the auditor of the payment, and the latter would be compelled to draw his warrant on the treasurer for the amount, and if the treasurer failed to pay the warrant, he would be liable to pay a fine of at least one thousand dollars and to be imprisoned for at least three months. If the county treasurers were liable to be subjected to such annoyances, it would be impracticable for them to collect the taxes or perform their other duties.

My last objection to the taking effect of the bill now under consideration is, that it is contradictory of, and inconsistant with, another act passed at the late special session, which is now a law of the State.

I allude to House bill No. 235, approved December 24, 1872, entitled an act supplemental to an act to authorize aid to the construction of railroads by counties and townships, taking stock in and making donations to railroad companies.

The act just alluded to provides that in all cases where a county or township tax has been levied and collected in aid of the construction of a railroad, and such tax has become forfeited by a failure of the railroad company to commence work on or complete such railroad, as required by law, the money so levied and collected shall be refunded to the tax-payers: *Provided, however,* That the county commissioners may determine to place the said tax in the general fund of the county, in which case the tax-payers thereof shall be credited upon the duplicate in the same proportion in which the tax was collected, etc.

For these reasons I file said House bill No. 227, with these my

objections thereto in the office of the Secretary of State, within five days next after the final adjournment of the Legislature, to the end that the General Assembly may, at its next session, have an opportunity to reconsider the subject.

CONRAD BAKER,
Governor of Indiana.

The question being, will the House on reconsideration agree to pass the bill, the objections of the Governor to the contrary notwithstanding.

No one voting in the affirmative.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Butts, Broaddus, Buskirk, Butterworth, Brett, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—87.

SPECIAL ORDER.

The special order being the consideration of House bills Nos. 31, 290, 293 and 328 on motion House bill No. 293 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Eaton, Ellsworth, Furnas, Gifford, Given, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King,

Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willson (of Ripley, Wood, Woollen, Woodard, Wynn and Mr. Speaker—86.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Mr. Woollen moved that House Bills Nos. 31, 290 and 328 be referred to a special committee of five to be appointed by the Speaker.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Woollen, Hardesty, Mellett, Eward and Shirley.

On motion by Mr. Peed, House bill No. 313 was taken from the table and placed upon the files of the House.

Mr. Woollen, chairman of the special committee, submitted the following report and bill, submitted in lieu of House bill No. 315.

Mr. Speaker :

The special committee to whom was referred the message of the Senate and House bill No. 315, on the subject of newspapers, etc., for the use of the members, direct me to report that they recommend that the message of the Senate and said bill, No. 315, lie upon the table, and that the accompanying bill, offered by the committee as a substitute for No. 315, be passed.

House bill No. 330 being a bill substituted for House bill No. 315—a bill for an act supplemental to an act fixing the per diem and mileage of members of the General Assembly, and providing

that they shall provide their own stationery, approved December 19, 1872.

Which bill was read a first time.

On motion, House bill No. 315 was laid on the table.

Also the message of the Senate in relation to newspapers, etc., was laid on the table.

On motion by Mr. Offut, the message of the Senate in relation to newspapers, etc., was taken from the table.

Mr. Offut moved that the House adhere to its former resolution.

The question being, shall the House adhere to its former resolutions?

Whereupon Messrs. Offut and Tulley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cline, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Given, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, Martin, McConnell, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—74.

Those who voted in the negative were, Messrs. Cobb, Clark, Gifford, Heller, King, Kirkpatrick, Martin, Pfrimmer and Troutman —9.

So the House adhered to its former resolution.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has adopted the following resolution thereof, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, That a joint committee of seven be appointed, four on the part of the House and three on the part of the Senate, whose duty it shall be to so re-district the State for judicial purposes as to equalize the burden of the circuit and common pleas judges throughout the State.

In which the concurrence of the House is respectfully requested.

I am also directed by the Senate to inform the House that the Senate has adopted the following resolution thereof, to-wit:

Resolved by the Senate, the House of Representatives concurring, That a committee of eight, consisting of three Senators and five Representatives, be appointed to employ an official Reporter, one for the Senate and one for the House. Said committee shall also be authorized to contract for printing and binding five hundred copies of the Brevier Legislative Reports of the present session; said Reports to be bound in half binding. Said committee shall report its action to both Houses, and the contract made by said committee shall be ratified by both Houses before the same shall be binding: *Provided*, That each House shall have the right to remove the reporter employed for such House at any time.

In which the concurrence of the House is respectfully requested, and the Senate has appointed on such committee Senators Dwiggins, Sleeth and Dittemore.

I am also directed by the Senate to inform the House that the Senate has passed the following engrossed bill of the House:

Bill No. 294, entitled "A bill appropriating one hundred and twenty-five thousand dollars to defray the expenses of the Forty-Eighth Regular Session of the General Assembly of the State of Indiana," and the same is herewith returned to the House.

Mr. Hollingsworth introduced House bill No. 331.

Which was read a first time and referred to the Committee on the Judiciary.

An act to amend the sixth, seventh, eleventh, twelfth, nineteenth sections of an act entitled, "An act regulating the granting of divorces, nullifications of marriage, and decrees and orders of court incident thereto, approved May 13, 1852, and to repeal the twenty-second section of said act.

Mr. Lent introduced the following concurrent resolution :

WHEREAS, the Governor in his late message to the General Assembly of the late Extra Session thereof recommended, that further provisions be made for the care and treatment of insane persons within this State, and that the State should be divided, viz : a Central, a Northern and a Southern; therefore be it

Resolved by the House the Senate concurring, that the Comittees on Benevolent Institutions of the two Houses be instructed to prepare plans for buildings, necessary to carry out said recommendation with the estimated cost thereof, and also prepare a bill, dividing the State into districts and providing for the erection of said buildings, and the government of the same.

Which was adopted.

Mr. Baxter introduced House bill No. 332—an act to authorize the enlargement of the House of Refuge for juvenile offenders and making appropriations therefore, and declaring an emergency to exist.

Which was read a first time, and referred to the Committee on Reformatory Institutions.

Mr. Baxter presented a petition from sundry citizens of Wayne county on the subject of temperance.

Which was referred to the Committee on Temperance.

The following message was received from the Governor by his private Secretary, Samuel R. Downey.

MR. SPEAKER:

By direction of the Governor, I have the honor to transmit

herewith a communication from his Excellency, accompanied by a copy of a communication from Hon. James B. Ryan, Treasurer of State.

SAMUEL R. DOWNEY,
Private Secretary.

EXECUTIVE DEPARTMENT,
Indianapolis, January 16, 1873.

Gentlemen of the House of Representatives:

I submit for your consideration, a communication of the Treasurer of State, of this date, calling my attention to the fact that the act of December 12, 1872, providing for the payment of sundry bonds does not authorize the cancellation of the bonds and coupons after their payment. I recommend that the officers charged with the execution of that law be directed to cancel and deface the bonds or stocks and coupons before placing them in the office of the Treasurer of State.

THOMAS A. HENDRICKS,
Governor.

OFFICE OF TREASURER OF STATE,
Indianapolis, Ind., January 16, 1873.

To his Excellency, Thomas A. Hendricks, Governor of the State of Indiana:

SIR: I would respectfully call your attention to section three of enrolled act No. 85, entitled "An act to provide for the payment of sundry bonds or stocks, etc.," approved December 12, 1872.

Said section reads as follows:

SECTION 3. It shall be the duty of the Governor, Attorney General, Secretary of State and Treasurer of State to exercise the utmost scrutiny in testing the genuineness and validity of each bond and coupon which may be presented for redemption under the provision of this act; and no bond or coupon shall be paid or redeemed unless the same is surrendered to the Treasurer of State at the time of redemption, and the bonds and coupons so redeemed shall be preserved by the Treasurer of State, and be subject to such disposition as the General Assembly may hereafter cause to be made thereof, and the Governor, Attorney General,

Secretary of State and Treasurer of State shall, immediately after making any redemption under this act, prepare and sign a detailed description, shall be filed in the office of the Auditor of State, and shall be so recorded by him in some book to be provided and kept for that purpose.

Your Excellency will observe that while it directs the State Treasurer to retain the bonds and coupons in the State Treasury, until the Legislature may direct that the Governor, Attorney General, Secretary of State and Treasurer of State should see that the bonds or stock and coupons were cancelled or defaced before being placed in the vault of the Treasury for safe keeping. I would respectfully suggest that your Excellency call the attention of the Legislature to this fact, recommending the passage of a joint resolution directing the defacing of the coupons and cancelling of bonds redeemed, before being placed in the State Treasury. Your very obedient servant,

JAMES B. RYAN,
Treasurer of State.

Mr. Woollen introduced House bill No. 333—an act concerning the granting of divorces.

Which was read a second time and referred to the Committee on the Judiciary.

Mr. Glasgow introduced House bill No. 334—an act to repeal an act entitled "An act in relation to the taxing of lands in towns and cities, approved June 18, 1852."

Which was read a first time and referred to the Committee on Cities and Towns.

Mr. Anderson presented a petition from sundry citizens on the subject of the completion of the Indiana Reformatory Institute for Woman and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

On motion by Mr. Cobb the House adjourned until 9:30 o'clock to-morrow morning.

This journal was read in the hearing of the Committee and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

JANUARY 17, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when on of motion by Mr. Hatch the further reading of the same was dispensed with.

Mr. Broaddus, Chairman of the Committee on Engrossed bills, submitted the following report:

MR. SPEAKER:

I am directed by the Committee on Engrossed bills to report to the House that said Committee has compared Engrossed bills Nos. 76, 225, 213, 261 and 291, with the original copies and find them in all respects properly engrossed.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary to whom was referred House bill No. 253 entitled, "An act to amend section twenty-six of an act entitled, 'An act providing the powers and duties of justices of the peace in the State prosecutions,'" approved May 29, 1852, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table, as the law on the subject is the same as that proposed by said bill.

Which report was concurred in.

Mr. Walker, Chairman of the Committe on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 247, entitled, "An act in relation to the qualification of jurors in certain cases therein named," have had the same under consideration, and directed me to report the same back to the

House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Buskirk, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary to whom was referred House bill No. 143, entitled, "An act to amend section one of an act to incorporate the University of Notre Dame Du Lac, in this State," report the same back to the House with the recommendation that it pass, but, qualify their recommendation in this, that the committee would leave the amount blank to be filled by the House, where it now is written $300,000.

Which bill was read a second time.

Whereupon, Mr. Willson, of Ripley, moved to recommit to the Committee on the Judiciary with the following instructions:

Recommit to the Judiciary Committee with instructions to amend the bill so as to permit the corporation to hold property not exceeding in value. at the time of purchase, the amount limited by their charter, and so as not to divest the title on account of its increase in value since its purchase.

Mr. Butterworth moved to lay the motion to recommit and the instructions on the table.

Which motion did not prevail.

Mr. Cobb moved to recommit to the Committee on the Judiciary with instructions to amend as follows:

Recommit with instructions to amend "so that said Institution may hold all the property they now have without regard to value, but shall not be empowered to make any additional purchase."

Mr. Thayer moved to lay the motions made by Messrs. Cobb and Willson, of Ripley, and instructions to amend, on the table.

Whereupon Messrs. Wilson, of Ripley, and Woollen demanded the ayes and noes.

The question being, shall the motions of Messrs. Cobb and Willson, of Ripley, to recommit with instructions to amend, be laid upon the table?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Bowser, Brett, Buskirk, Butterworth, Claypool, Cline, Coffman, Crumpacker, Dial, Durham, Edwards (of Lawrence), Eaton, Given, Glasgow, Glazebrook, Heller, Henderson, Isenhauer, Jones, King, Martin, McKinney, North, Peed, Pfrimmer, Richardson, Riggs, Satterwhite, Schmuck, Shirley, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tulley, Walker, Whitworth, Woollen and Mr. Speaker—43.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Blocher, Broaddus, Butts, Cobb, Cole, Cowgill, Ellsworth, Eward, Furnas, Gifford, Goudie, Hedrick, Hollingsworth, Kimball, Kirkpatrick, Lenfesty, Lent, McConnell, Mellett, Miller, Odle, Offut, Ogden, Prentiss, Reeves, Reno, Rudder, Rumsey, Scott, Shutt, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Willson (of Ripley), Wilson (of Blackford), Wood, Woodard and Wynn—44.

So the motion to lay on the table did not prevail.

Whereupon House bill No. 143 was recommitted to the Committee on the Judiciary with instructions to amend.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 147—"An act exempting certain personal property from sale on execution," and the same is herewith transmitted to the House of Representatives.

I am also directed by the Senate to inform the House that the Senate has receded from its amendment to the House amendment

to a Senate concurrent resolution providing for the two Houses to meet in Joint Convention, in the hall of the House of Representatives, at two and a half o'clock, p. m., this day, to hear memorials and addresses from the State Women's Suffrage Association, and that the Senate has concurred in the amendments of the House.

Mr. Buskirk, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 195, entitled—"An act to amend the first section of an act to incorporate the University of Notre Dame, etc., report the same back to the House, with the recommendation that it lie upon the table.

Which report was concurred in.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No 274, entitled "An act limiting the punishment of crimes in certain cases," have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Judiciary Committee, to whom was referred House bill No. 298, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr Woollen, from the Committee on the Judiciary, submitted the following report :

Mr. Speaker :

The Committee on the Judiciary, to whom was referred House bill No. 325, being a bill for an act declaring what offices shall be deemed lucrative, have had the same under consideration and have instructed me to report the same back with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report :

Mr. Speaker :

Your Committee on the Judiciary, to whom was referred House bill No. 245, entitled "A bill to provide for the parolling of prisoners who may be confined in any county jail for the non-payment of fines which may have been adjudged against them upon conviction of public offenses," have carefully considered said bill, and herewith return the same to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report :

Mr. Speaker :

Your Committee on the Judiciary, to whom was referred House bill No. 246, entitled "An act concerning the granting of pardons by the Governor," have carefully considered said bill, and the same is herewith returned with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Glazebrook, from the Committee on Education, submitted the following report :

Mr. Speaker:

The Committee on Education, to whom was recommitted House bill No. 10, providing for the issue and sale of bonds to raise money by civil townships, for the purpose of erecting school houses, having had the same under consideration, recommend the following amendments, to-wit: In line twelve, in section two, erase "one" and insert "five."

The committee according to instructions from the House, also recommend, that the following clause be added to section two, viz: "*Provided*, before any bonds be issued under the provisions of this act, it shall be the duty of the Board of Commissioners to require a petition signed by a majority of the free holders of the township, asking that said bonds shall be issued."

So amended the committee, recommend the passage of the bill.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Prentiss, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 308, have had the same under consideration and have directed me to report it back, with the recommendation, that it be indefenitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate, to inform the House of Representatives, that the Senate has adopted the following resolution thereof, to-wit:

Resolved by the Senate, the House of Representatives, concur-

ring therein, that the Senate and House will meet in the hall of the House of Representatives in Joint Convention at 2½ o'clock this afternoon, to hear addresses and memorials from the American Woman's Suffrage Association. In which the concurrence of the House is respectfully requested.

Mr. Buskirk, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business to whom was referred House bill No. 299, entitled, an act to allow a bounty for red fox scalps, etc., have duly considered the same and now report the same back to the House with the recommendation that it be amended as follows, to-wit: By inserting after the last word of section three, the following words, to-wit: said clerk on said production of said scalps shall then and there destroy the same, and said committee respectfully recommend that the bill so amended be passed.

Which report was concurred in, the amendments adopted, the bill read a second time and ordered to be engrossed.

Mr. Coffman from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business to whom was referred House bill No. 320, entitled an act regulating the duties of county surveyor, extending the same and repealing all laws inconsistent therewith have had the same under consideration and would recommend that said bill be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Furnas, Chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture to whom was referred House

bill No. 243—being a bill to repeal an act for the protection of game, have had the same under consideration and respectfully recommend that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Furnas, Chairman of the Committee on Agriculture, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture, to whom was referred House bill No. 80—being a bill for the prevention of the spreading of the common thistle, have had the same under consideration, and respectfully return the same and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Branham moved to reconsider the vote by which concurrent resolution relating to the care and treatment of insane persons, was adopted.

Which motion prevailed.

Mr. Hardesty offered the following amendment.

Amend by striking out the words "a central, a northern, and a southern" after the words, "three hospital districts."

Which amendment was adopted.

Messrs. Branham and Butterworth demanded the ayes and noes on the adoption of the concurrent resolution.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller,

North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Strange, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Tulley, Wesner, Whitworth, Wilson (of Blackford,) Willson (of Ripley.) Wood, Woodard, Woollen, Wynn and Mr. Speaker—85.

Mr. Pfrimmer voting in the negative.

So the concurrent resolution was adopted.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills would report that they have examined Enrolled act No. 294, entitled "An act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the forty-eighth General Assembly," etc., etc., and find that the same is correctly enrolled.

Mr. Given was granted leave of absence until Wednesday next.

Mr. Cole was granted leave of absence until Tuesday next.

Mr. Isenhauer was granted leave of absence during next week.

Mr. Schmuck was granted an indefinite leave of absence.

Mr. Branham presented the claim of Capt. Jas. H. Smith's company, 9th Regt. Ind. Legion, for services rendered the State from September 16, 1862, to October 1, 1862, which was referred to the Committee on Claims.

Mr. Lenfesty was granted leave of absence until Monday evening next.

The message of the Senate, in relation to the Joint Convention to hear the addresses of the American Woman's Suffrage Association, was taken up and concurred in.

Mr. Brett presented a petition from sundry citizens of Daviess county on the subject of temperance.

Which was referred to the Committee on Temperance.

On motion by Mr. Offut the House adjourned until 2:20 this p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Schmuck moved that a committee of two be appointed by the Speaker to wait upon the Senate and inform them that the House is now ready to receive them to hear the addresses to be delivered by members of the American Woman's Suffrage Association, and conduct the Senators to the hall of the House.

Which motion prevailed, and the Speaker appointed as such committee, Messrs. Schmuck and ———.

JOINT CONVENTION.

The Senate then, in pursuance to the invitation of the House, came into the hall of the House, preceded by the President of the Senate, and were seated on the right of the Speaker.

The clerk read the following memorial from the American Woman's Suffrage Association.

The President of the Senate then said:

Gentlemen of the Senate and House of Representatives:

We have met in joint convention for the purpose of hearing addresses of members of the American Woman's Suffrage Association. I now have the pleasure of introducing. to you, Mrs. Margaret V. Longley, of Cincinnati, Ohio, who will address you on the subects referred to, in their memorial.

MEMORIAL.

To the Senate and House of Representatives of the State of Indiana:

The American Woman's Suffrage Association respectfully represents—

First. That whereas, the first section of the second article of the Constitution of the United States expressly provides, each State shall appoint as the Legislature thereof may direct the electors for President and Vice President, and whereas women are now unjustly excluded from any participation in the election of those highest officers of the nation, we therefore respectfully pray your honorable bodies, that you will excercise the authority thus vested in you by the Federal Constitution and enact a law, conferring suffrage upon women who are citizens of the United States and the State of Indiana, in future Presidential elections upon the same terms and conditions as men, and we further respectfully represent—

Second. That whereas, the Constitutions of many of the States contain no restriction upon the exercise of suffrage by women in regard to the election of certain State, county, town and municipal officers, we therefore respectfully pray that you will enact a law abolishing all political distinctions on account of sex, except where the same are expressly contained in the present Constitution of your State, and we further respectfully represent—

Third. That whereas, the Constitution of the State of Indiana restricts suffrage for certain officers to men alone; therefore, we respectfully pray your honorable body to take the necessary steps to amend the State Constitution so as to abolish hereafter all political distinctions on account of sex.

This memorial is presented in accordance with a resolution adopted at the annual meeting of said American Woman's Suffrage Association held in St. Louis on the twenty-second of November, A. D. 1872, composed of delegates from auxiliary State societies.

THOS. WENTWORTH HIGGMAN, Pres't.
LUCY STONE, Chairman Ex. Com.
HENRY B. BLACKWELL, Cor. Sec'y.
MARY GREW, Rec. Sec'y.

The President of the Senate introduced Mrs. H. M. T. Cutter, M. D., of Illinois, who then delivered an address on the same subject.

The purposes for which the Joint Convention had assembled having been concluded, the President of the Senate then declared the Joint Convention adjourned without day, whereupon the Senators retired to their chamber.

Mr. Hardesty moved that the vote on which House bill No. 101 failed to pass be reconsidered.

Pending the consideration of which, on motion by Mr. Kimball, the House adjourned until to-morrow morning at 9:30 o'clock.

This Journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

SATURDAY MORNING.

JANUARY 18, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment with the Speaker in the chair.

The journal of yesterday was read in part, when on motion of Mr. Tulley, the further reading of the same was dispensed with.

The Joint Committee on Enrolled bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled bills, report, that they have compared enrolled Senate bill No. 150, entitled, "An act to legalize taxes in certain cases levied by the trustees of incorporated towns, and find that the same is correctly enrolled.

Mr. Broaddus offered the following resolution:

Resolved, that the Committee on Ways and Means be, and they are hereby instructed, to inquire into the expediency of taxing the agents of mercantile and manufacturing houses of other States, who sell their goods, wares and merchandise by sample in this State, and that said committee have leave to report by bill or otherwise.

Which resolution was adopted.

Mr. Pfrimmer introduced House bill No. 335—an act relating to estrays and articles adrift and prescribing penalties.

Which was read a first time and referred to the Committee on Rights and Privileges.

The following message was received from the Senate by the Secretary thereof :

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit :

Whereas, By the charter of the Buffalo and Mississippi Railroad Company, approved February 6, 1835, it was provided in section twenty-five that when the aggregate amount of dividends declared shall amount to the full sum invested and ten per cent. per annum thereon, the Legislature may so regulate the tolls and freights that no more than fifteen per cent. per annum shall be divided on the capital employed, and the surplus profits, if any, after paying the expenses and reserving such proportions as may be necessary for future contingencies, shall be paid over to the Treasurer of State for the use of common schools, but the corporation shall not be compelled by law to reduce the tolls and freights so that a dividend of less than twenty per cent. can not be made, and it shall be the duty of the corporation to furnish the Legislature, if required, with a correct statement of the amount of expenditures and the amount of profits, after deducting all expenses, which statement shall be under the oath of the officers whose duty it shall be to make the same ; and

Whereas, No such statement has ever been made to the General Assembly of Indiana, therefore

Be it resolved by the Senate, the House of Representatives concurring therein, That said corporation be required to furnish the General Assembly during the present session, a correct statement properly verified, of the following matters, namely :

First. The amount of expenditures of such corporation.

Second. The amount actually expended in the construction of the road by said corporation.

Third. The amounts of profits of such corporation after deducting all expenses.

Be it further resolved, That his Excellency, the Governor of this State, be, and he is hereby requested to forward a copy of this resolution properly authenticated to the President of the Lake Shore and Michigan Southern Railroad Company; *provided*, that nothing herein contained shall be construed as recognizing the legal existence of said coporation or waiving any forfeiture by it.

Mr. Woollen offered the following resolution:

Resolved, That there be appointed by the Speaker, five members of the House who shall act in conjunction with, and be auxiliary to the Committee on the Judiciary, in order that the business referred to that committee may be properly and speedily disposed of.

Which was adopted.

Mr. Edwards, of Lawrence, offered the following resolution:

Resolved, That when this House adjourn, it adjourn to meet on Monday next at 10 o'clock a. m.

Which was adopted.

Mr. Hardesty introduced House bill No. 336—a bill providing that railroad aid may be advanced under certain conditions, when paid by a township.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Johnson introduced House bill No. 337—an act to authorize the sale of the interest of the State of Indiana in a certain tract of land in Clay county.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Johnson presented the claim of B. C. Hobbs, late Superintendent of Public Instruction, for $708.66, balance for his services as such officer.

Which was referred to the Committee on Claims.

Mr. King presented a petition from sundry citizens of Marion county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Satterwhite introduced House bill No. 338—a bill to prohibit township trustees from levying a tax upon the inhabitants of incorporated towns, of one thousand inhabitants or over, that are organized into road and school districts or district, or the real or personal property of said inhabitants situated therein, repealing all laws or parts of laws in conflict therewith, and declaring an emergency.

Which was read a first time and referred to the Committee on County and Township Business.

Mr. Shirley introduced House bill No. 339—an act defining certain felonies and prescribing punishment therefor.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Butterworth introduced House bill No. 340—an act compelling parents and guardians to educate their children and wards.

Which bill was read a first time and referred to the Committee on Education.

Mr. Walker presented a petition from sundry citizens of Wayne county asking for the repeal of the present divorce law.

Which was referred to the Committee on the Judiciary.

The Speaker laid before the House the communication from the Governor, received on Thursday last, in relation to the communication received by him from the Treasurer of State in regard to the cancellation of bonds and coupons after their payment.

On motion, the subject was referred to the Committee on Ways and Means.

Senate bill No. 147 was taken up—an act to amend section one of an act, entitled "An act to exempt property from sale in certain cases," approved February 17, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 168, was taken up—a bill supplemental to an act, entitled "An act in relation to the organization of the two Houses of the General Assembly, prescribing the number of officers and employees of each House, and regulating their duties," and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

The message of the Senate in relation to the Buffalo and Mississippi railroad received by the House this a. m. was taken up and on motion, referred to the Committee on Railroads.

Senate bill No. 167, was taken up—an act fixing the time for the holding of the court of Common Pleas of Ripley county in the twenty-second judicial district of this State and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Organization of Courts.

Senate bill No. 15, was taken up—an act to authorize cities and towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings and pay debts contracted for the erection of school buildings and purchase of grounds and buildings for school purposes and authorizing the levy and collection of an additional special school tax for the payment of principal and interest of such bonds and legalizing such contracts heretofore entered into and declaring an emergency.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Senate bill No. 48 was taken up—an act to amend sections one, seven and eight, of an act entitled "An act to establish a House for the maintenance of sick and disabled Indiana Soldiers and Seamen, and their orphans and widows, approved March 11, 1867, and section two of an act supplemental thereto, approved May 14, 1869.

Which bill was read a first time and referred to the Committee on Scientific and Benevolent Instutions.

Senate bill No. 62 was taken up—an act to amend the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th sections, of an act entitled an act to incorporate the town of Bluffton, approved, February 12, 1851, and also to repeal section 11, of said act.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Senate bill No. 71, was taken up—an act to amend sections seven and forty-nine of an act entitled, "An act providing for the settlement of decedents estates prescribing the rights, liabilities and duties of the officers connected with the management thereof and the heirs thereof, certain forms to be used in such settlement, approved June 15, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

House bill No. 313 was taken up and read a second time and ordered to be engrossed.

House bill No. 330 was taken up, read a second time and ordered to be engrossed.

On motion by Mr. King, House bill No. 100 was taken from the Speaker's table and referred to the Committee on Cities and Towns.

Mr. Kimball presented the claim of Daniel Keeley for services rendered as musician during the war.

Which was referred to the Committee on Claims.

Mr. Shirley, from the Committee on Corporation, submitted the following report:

Mr. Speaker:

The Committee on Corporations have had under consideration House bill No. 208—an act to legalize the official acts of the several boards of trustees of the town of Mooresville, Morgan county, State of Indiana; and said committee have instructed me to report said bill back to the House with the recommendation that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Satterwhite, Chairman of the Committee on Banks, submitted the following report:

Mr. Speaker:

The Committee on Banks, to whom was referred the report of the condition of the Bank of the State of Indiana on the third Saturday, Nov. 16, 1872, report, after a careful examination of the various reports of the branches now in existence, in a healthy condition, and the president and cashier's report of the same correct.

Which report was concurred in.

Mr. Richadrson, from the Committee on Corporations, submitted the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred House bill No. 289, have directed me to report the same back to this House with the recommendation that it be referred to the Committee on County and Township Business.

Which report was concurred in, and the bill referred to the Committee on County and Township Busines.

Mr. Ogden, Chairman of the Committee on Corporations, submitted the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred House bill No. 127, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table for the reason that the subject matter thereof was incorporated in Senate bill No. 40, which last named bill passed both branches of the Legislature at the last session thereof, and is now a law.

Which report was concurred in.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

I am directed by the Committee on Engrossed Bills to inform the House that said committee has compared Engrossed House Bills Nos. 245, 246, 10 and 299 with the original bills, and find them in all things, correctly engrossed.

On motion, the House adjourned until Monday next at 10 o'clock a. m.

W. K. EDWARDS, Speaker.

MONDAY MORNING.

January 20, 1873. 10 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of Saturday was read and approved.

The memorials of the American Woman's Suffrage Association was taken up, and on motion, referred to the Committee on Elections.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 307, entitled "An act for the relief of Emsley Wilson, declaring the title of the State of Indiana to certain lands described therein to be vested in the said Wilson and his heirs," have examined the said bill and directed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read the second time and ordered to be engrossed.

Mr. Ogden, from the Committee on the Judiciary, submitted the following Report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 237, "An act to amend section nineteen of an act entitled 'An act prescribing the powers and duties of Justices of the Peace in the State prosecution,'" approved May 29, 1852, have had the same under consideration and report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Buskirk, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 240—an act to amend section seventy of an act entitled "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852, saving pending actions and declaring an emergency, have had the same under consideration and report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Butterworth, chairman of the Committee on Swamp Lands, submitted the following report:

Mr. Speaker:

The Committee on Swamp Lands, to whom was referred House bill No. 146—an act to prevent the obstruction of ditches, drains and running streams, and prescribing penalties for its violation, have had the same under consideration and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Butterworth, chairman of the Committee on Swamp Lands, submitted the following report on House bill No. 255 and substituting a bill in lieu thereof:

MR. SPEAKER:

The Committee on Swamp Lands have had under consideration House bill No. 255, for an act supplemental to an act for the relief of the Indiana University and to increase and extend its benefits by providing for the sale of lands granted by the United States for the use of said University, etc., have had the same under consideration and report the same back with the accompanying bill, which the committee recommend as a substitute for the same and recom- its passage.

House bill, No. 341, being substituted in lieu of House bill No. 255—an act supplemental to an act for the relief of the Indiana University and to increase and extend its benefits by providing for the sale of the lands granted by the United States for the use of said University, regulating the applications of the proceeds of the sales thereof and prescribing the duties of the officers therein mentioned in relation thereto, approved March 2, 1872.

Which report was concurred in—the substitute bill read a first time and referred to the Committee on Education.

Mr. Hedrick, Chairman of the Committee on Rights and Privileges submitted the following report:

MR. SPEAKER:

The Committee on Rights and Privileges to whom was referred House bill No. 314, have had the same under consideration and recommend the following amendment, and when so amended that it do pass.

Amend by inserting the words willfully before negligently, strike out the words two hundred and insert the word fifty before the word dollars.

Which report was concurred in the bill read a second time and ordered to be engrossed.

Mr. Shirley from the Committee on Rights and Privileges submitted the following report:

MR. SPEAKER:

The Committee on Rights and Privileges of Citizens, have had

under consideration House bill No. 318—an act to amend section two of an act to discourage the keeping of useless and sheep killing dogs, and have directed me to report said bill back to the House with the recommendation that the same be laid the table.

Which report was concurred in, and the bill laid on the table.

Mr. King, Chairman of the Committee on Railroads, submitted the following report :

Mr. Speaker :

The Committee on Railroads, to whom was referred House bill No. 297, an act supplemental to an act to authorize aid to the construction of railroads by counties and townships, taking stock and making donations to railroad companies, approved May 12, 1869, have had the same under consideration, and direct me to report the same back with a recommendation that it lie on the table, and that the action of the House making it the special order for Tuesday, January 21, at 9:30 o'clock a. m., be rescinded.

The report was not concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Cowgill, Chairman of the Committee on Mileage and Accounts, offered the following resolution :

Resolved, That the mileage to be allowed to the members of the House of Representatives for this session shall be for the same number of miles to each member, as was fixed and allowed to each member at the special session.

Which resolution was adopted.

Mr. Baxter, Chairman of the Committee on Reformatory Institutions, submitted the following report :

Mr. Speaker :

The committee to whom House bill No. 332 was referred, report it back and recommend its passage.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Anderson introduced House bill No. 342—a bill to provide for the taxing of costs in criminal actions.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Miller presented a petition from sundry citizens of Decatur county, asking for the enactment of a temperance law similar to that of Ohio and Illinois.

Which was referred to the Committee on Temperance.

Mr. Claypool introduced House bill No. 343—an act to amend section two of an act entitled, "An act providing for the organization of county boards and prescribing some of their powers and duties," approved June 17, 1853.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Buskirk introduced House bill No. 344—an act in relation to the terms of the circuit court and court of common pleas of Gibson county.

Which bill was read a first time and passed to a second reading without reference.

Mr. Furnas presented the claim of Dillon Haworth for the extra work done on the House of Refuge at Plainfield.

Which was referred to the Committee on Claims.

Mr. Wood introduced House bill No. 345—an act to amend section three of an act eatitled, "An act for the regulation of weights and measures," approved June 9, 1852; approved February 28, 1855; approved March 7, 1863.

Which bill was read a first time and referred to the Committee on Agriculture.

Mr. Shirley introduced House bill No. 346—an act to amend section 270 of an act entitled, "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Hatch introduced House bill No. 347—an act to amend sections 155 and 180 of an act entitled "An act to provide for the uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.

Which bill was read a first time and referred to the Committee on Ways and Means.

The Speaker announced that the standing committees having been continued with the business of the session from changes made by law, or resolution, or requests, will be as follows, viz.:

STANDING COMMITTEES.

On the Journals—Mr. Speaker, *ex officio*; Messrs. Stanley, Scott, Whitworth and Wood.

On Elections—Messrs. Edwards (of Lawrence), Isenhauer, Hollingsworth, Martin, Odle, Willson (of Ripley), and Whitworth.

On Ways and Means—Messrs. Kimball, Branham, Brett, Willard, Tingley, Peed and Gronendyke.

On the Judiciary—Messrs. Walker, Cauthorn, Willson (of Ripley), Woollen, Ogden, Buskirk and Johnson. By virtue of a resolution of special session, Messrs. Miller and Shirley. By virtue of a resolution of present session, Messrs. Cowgill, Offut, Wesner, Smith and Lenfesty.

On Organization of Court of Justice—Messrs. Willson (of Ripley), Offut, Wood, Gregory, Edwards (of Lawrence,) Claypool and Glasgow.

On Banks—Messrs. Satterwhite, Brett, Troutman, Crumpacker, Tulley, Riggs and Goble.

On Education—Messrs. Mellett, Given, Billingsley, Glazebrook, Butts, Woollen and Rumsey.

On Affairs of Prisons—Messrs. Hardesty, Barrett, Woodard, Cole, Thayer, Coffman and Furnas.

On Swamp Lands—Messrs. Butterworth, Eaton, Wood, Hatch, McConnell, Gregory and Wynn.

On Military Affairs—Messrs. Kirkpatrick, Reno, Cole, Anderson, Goudie, Spellman and Wesner.

On Trust Funds—Messrs. Wynn, Baker, Gronendyke, Henderson, Lent, Durham and Hollingsworth.

On Fees and Salaries—Messrs. Woodard, Woollen, Cowgill, Teeter, Broaddus, Rudder and Cole.

On Sinking Funds—Messrs. Branham, Ellsworth, Billingsley, Stanley, Eward, Strange and Cobb.

On Rights and Privileges of the Inhabitants of the State—Messrs. Hedrick, Shirley, Gifford, Pfrimmer, Clark, Blocher and Rumsey.

On Railroads—Messrs. King, Branham, Bowser, Gronendyke, Isenhauer, Kimball and Jones.

On Manufacture and Commerce—Messrs. Thayer, Given, North, Reno, Butterworth, Baker and King.

On County and Township Business—Messrs. Thompson (of Elkhart), Claypool, Reeves, Buskirk, Prentiss, Scott and Coffman.

On Agriculture—Messrs. Furnas, Heller, Billingsley, McConnell, Thompson (of Spencer), Eaton and Odle.

On Benevolent and Scientific Institutions—Messrs. Branham, Brett, King, Lent, Cauthorn, Furnas, Schmuck and Clark.

On Temperance—Messrs. Butts, Brett, Baxter, Cauthorn, Furnas, Schmuck and Clark.

On Mileage and Accounts—Messrs. Cowgill, Glazebrook, Cobb, Richardson, Mellett, Peed and Butts.

On Corporation—Messrs. Ogden, Richardson, Gifford, Thompson (of Elkhart), Shirley, Thayer and Smith.

On Canals—Messrs. Lent, Claypool, Cobb, Bowser, Broaddus, Anderson and Cole.

On Public Expenditures—Messrs. Johnson, Henderson, Wolflin, Offut, Wesner, Reno and Eward.

On Federal Relations—Messrs. Lenfesty, Pfrimmer, Wynn Strange, Troutman, Shutt and Butts.

On Affairs of city of Indianapolis—Messrs. Hatch, Goble, Wilson (of Jay), Hoyer, Scott, Heller and Satterwhite.

On Cities and Towns—Messrs. Gifford, Willard, Riggs, Teeter, Miller, Baker and Kirkpatrick.

On Engrossed Bills—Messrs. Broaddus, Durham, North, Cline, Glasgow, Crumpacker and Hoyer.

On Roads—Messrs. Reeves, Isenhauer, Thompson (of Spencer), Martin, Prentiss, Strange and Rumsey.

On Statistics and Emigration—Messrs. Wolflin, Blocher, Lenfesty, Schmuck, Wood, McKinney and Thompson (of Elkhart.)

On Insurance Companies—Messrs. Willson (of Ripley), Given North, Lenfesty, Jones, Wesner and Barrett.

On Printing—Messrs. Billingsley, Peed, Willson (of Ripley) Heller, Walker, Shutt and Mellett.

On Reformatory Institutions—Messrs. Baxter, Furnas, Rumsey, Clark, Martin, McConnell and Dial.

On Drains and Dykes—Messrs. Wood, Eaton, Prentiss, Tulley, Shirley, Troutman and Scott.

JOINT STANDING COMMITTEES ON PART OF THE HOUSE.

On Public Library—Messrs. North, Smith and Hardesty.

On Public Buildings—Messrs. Branham, Brett and Kimball.

On Canal Fund—Messrs. Goudie, Claypool and Reeves.

On Enrolled Bills—Messrs. Cobb, Barker, Butterworth, Tulley, Scott and Bowser.

On Claims—Messrs. Riggs, Dial, Cobb, Schutt, Lenfesty and Hedrick.

Mr. Dial introduced House bill No. 348—an act to amend the 1st, 2d, 3d, 4th, 6th, 8th, 12th, 13th, 15th, 17th, 18th and 19th sections of an act to authorize and aid the construction of railroads by counties and townships, taking stock in and making donations to railroads companies, approved May 12, 1869.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Broaddus, Chairman of the Committee on Engrossed Bills' submitted the following report:

Mr. Speaker:

I am directed by the Committee on Engrossed Bills to inform the House that said committee has compared engrossed bills, Nos. 208, 313 and 330, with the original copies thereof, and find them in all things correctly engrossed.

Mr. Henderson introduced House bill No. 349—an act to repeal an act entitled an act providing for the redemption of real property or any interest therein, sold on execution or order of sale and providing for the issuing of certificates of purchase in such cases and for the execution of conveyances and repealing all laws in conflict therewith, approved July 4, 1861.

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Clark was granted a leave of absence until Wednesday next.

On motion of Mr. Tulley, the House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment with the Speaker in the chair.

The report of the State Librarian was taken from the Speaker's table, and, on motion, referred to the joint standing Committee on Public Library.

Mr. Kimball, chairman of the Committee on Ways and Means, by direction of said committee, submitted the following report:

MR. SPEAKER:

I am directed by the Committee on Ways and Means to report the following bill:

House bill No. 350, introduced by Mr. Kimball, chairman of the Committee on Ways and Means, by direction of said committee—

An act to organize insurance companies and regulate the business of insurance in the State of Indiana.

Which report was concurred in, the bill read a first time, and, on motion, laid on the table and 300 copies ordered to be printed for the use of the members of the House.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act of the Senate, to-wit:

Enrolled act No. 150, entitled—"An act to legalize taxes heretofore levied for purposes of tuition by the school trustees of any of the incorporated cities of the State, and to authorize the collections of the same, and declaring an emergency.

The Speaker announced that he had signed enrolled act of the Senate No. 150, and also enrolled act of the House No. 294.

Mr. Woollen, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 333, being a bill for an act concerning divorces, have had the same under consideration, and have instructed me to report the same back to the House with the following amendments:

Strike from the closing sentence of section 7 the words "competent disinterested testimony," and insert in lieu thereof the following words: "Witnesses who are resident house holders of the State." Amend the fifth specification of section 8 by striking out the word "five," and insert the word "three," and when so amended they recommend its passage.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and, on motion by Mr. Henderson, laid on the table and 200 copies ordered to be printed for the use of the members of the House.

Mr. Cobb introduced House bill No. 351—an act to provide for the enlargement of the State House grounds, the appointment of a State House Board, and the building of a new State House and the providing of a fund therefor.

Which bill was read a first time and referred to the Committee on Ways and Means.

Mr. Kimball presented the claim of I. Hodgson, architect, for services, for $235, which was referred to the Committee on Claims.

Mr. Willson, of Ripley, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 182, entitled "An act defining the procuring of abortion or miscarriage to be a felony or murder as the case may be, prescribing punishment therefor," have examined said bill and directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 14, entitled "An act to amend sections five and seven of

an act entitled 'An act in relation to commissioners' certificates and resignation of officers,'" approved May 28, 1852, have had the same under consideration and directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

On motion by Mr. Billingsley, House bill No. 122 was recommitted to the Committee on Ways and Means with the following instructions:

Amend House bill No. 122 as follows, to-wit:

By striking out after the word "shall" in line nine, section one, the words "for the year eighteen hundred and seventy-four, be appraisor of the" (including lines ten and eleven of the same section), and insert the words "be the assessor of the personal property and;" amend further in line thirteen of same section, after the word "city" strike out the words "and such;" also, strike out lines 14, 15, 16, 17 and 18 of the same section, and the words "and seventy-four" in line nineteen, and in line twenty-two of the same section, after the word "appraisement" insert the words "and appraisement."

Mr Woollen, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House Bills Nos. 21, 23, 85 141 and 331, being bills to amend the law in relation to divorces, and also a memorial from the society of friends, have directed me to report the same back to the House with a recommendation they lie on the table.

Which report was concurred in and the bills and memorials laid on the table.

Mr. Henderson introduced House bill No. 152—an act limiting the damages which may be assessed by any court or jury on account of attorney fees in suits upon contracts providing for the payment of attorney's fees by the obligee in the same.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Scott introduced House bill No. 353—a bill to prohibit township trustees from levying a road tax upon the inhabitants of incorporated towns and cities on the real or personal property of the said inhabitants, situated therein, repealing all laws in conflict therewith, and declaring an emergency.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Henderson offered the following resolution:

WHEREAS, The claim of W. B. Walters for expenses incurred in contesting the seat of Robert S. Taylor in this House at the session of 1871, was referred to the Committee on Claims at the special session and by that committee recommended to be allowed in part and

WHEREAS, The House for want of information as to the facts upon which said claim was based, refused to concur in said report.

Resolved, That the said claim be again referred to the Committee on Claims, with instructions to report the fact in relation to said claim, and how much, if any, ought, in their opinion, be allowed.

Which resolution was adopted.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills respectfully report that they have this, the 20th day of January, 1873, presented Senate Enrolled bill No. 150, entitled "An act to legalize taxes heretofore loaned for purposes of tuition by the school trustees," etc., to the Governor for his signature and approval.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills respectfully report that they have this 20th day of January, 1873, presented enrolled House bill No. 294, entitled "An act appropriating $125,000 to defray the expenses of the forty-eighth regular session of the General Assembly," etc., to the Governor for his approval.

On motion by Mr. Tulley, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

TUESDAY MORNING.

January 21, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when, on motion by Mr. Buskirk, the further reading of the same was dispensed with.

Mr. Branham, Chairman of the Committee on Sinking Fund, by direction of said committee, introduced House bill No. 354—an act to consolidate certain mortgage loans, forfeitures, bills receivable, and other debts and accounts due the school fund, into one non-negotiable bond, and making other provisions in relation thereto.

Which bill was read a first time and referred to the Committee on Sinking Fund.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate, to inform the House of Representatives, that he has signed enrolled act of the

Senate No. 294, entitled, "An act appropriating one hundred and twenty-five thousand dollars, to defray the expenses of the forty-eight regular session of the General Assembly of the State of Indiana."

Also, Enrolled act of the Senate No. 150, entitled, "An act to legalize taxes heretofore, levied for purposes of tuition by the school trustees of the incorporated cities of this State, and to authorize the collection of the same and declaring an emergency, and the same has been delivered to the Joint Committee on Enrolled Bills

Also, I am directed by the Senate, to inform the House, that the Senate has adopted the following resolution to-wit:

Resolved by the Senate, the House of Representatives concurring therein, that a committee consisting of two Senators and three Representatives be appointed, whose duty it shall be, to examine the books, accounts, vouchers and reports of the Superintendent of the Indiana Sailors' and Seaman's Home in accordance with the wishes of that officer, expressed in his report of the 31st of October, 1872, together with such other evidence as they shall deem necessary and proper, and report to this General Assembly, whether or not the funds entrusted to the care of the said Superintendent have been properly applied and whether his report and accounts are true and correct.

Also, I am directed by the Senate to inform the House that the Senate has adopted the following joint resolution, to-wit:

Senate Joint Resolution No 4—a joint resolution authorizing the sale of certain personal property therein mentioned, and the same is herewith transmitted to the House for its action thereon.

Mr. Peed, from the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred a resolution of this House directing said committee to inquire into the expediency of taxing the agents of mercantile and manufacturing houses of other States who sell their goods, wares and merchandise by sample in this State, have had the same under consid-

eration, and directed me to report the same back to the House with the recommendation that it lie upon the table, as the committee are of opinion that the subject matter of the resolution is in conflict with a late decision of the United States Supreme Court.

Which report was concurred in, and the resolution laid upon the table.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 157, entitled "An act to provide for the submission to the qualified electors of this State, for their ratification or rejection, a proposed amendment to the constitution, having had the said bill under consideration, have directed me to report the same back to the House with the following amendment:

Strike out the words "28th day of January," in the second line of section two, and insert "18th day of February," and with said amendment recommend the passage of said bill.

Which report was concurred in, the amendment adopted, the bill as amended read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—86.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

SPECIAL ORDER.

The special order being the consideration of engrossed House bill No. 297, said bill was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Miller, North, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford,) Willson (of Ripley,) Wood, Woollen, Wynn and Mr. Speaker—83.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 284—an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," and a supplemental act to the act approved August 17, 1853, have had the same under consideration and have directed me to report the same back to the House with the recommendation that the same be referred to the Committee on Temperance.

Which report was concurred in and the bill referred to the Committee on Temperance.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 71, entitled "A bill to amend sections seven and forty-nine of an act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof and the heirs thereto and certain forms to be used in such settlements," having had the same under consideration, have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 342, entitled "A bill to provide for taxing costs in criminal actions," have considered said bill and herewith return the same to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Willson, of Ripley, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 179, being a bill to amend the practice act, and which was referred to this committee and reported on heretofore, have instructed me to return the same back to the House with a recommendation that it pass.

Which report was concurred in.

Whereupon Mr. Shirley moved to recommit said bill with the following instructions:

Mr. Speaker:

Moved to recommit House bill No. 179, with special instructions to amend the same by giving the judgment, plaintiff and defendant, the right to designate what paper to give notice, under the provisions of the bill, and when either judgment defendant, and upon his failure, then the judgment plaintiff shall designate; upon both failing, then the sheriff shall select what paper.

Mr. Ogden moved to lay the motion offered by Mr. Shirley, to recommit with instructions, on the table.

Whereupon Messrs. Shirley and Blocher demanded the ayes and noes.

The question being, shall the motion by Mr. Shirley, to recommit with instructions, be laid on the table?

Those who voted in the affirmative were, Messrs. Billingsley, Buskirk, Butterworth, Butts, Cobb, Coffman, Cole, Cowgill, Crumpacker, Ellsworth, Eward, Gifford, Goudie, Gronendyke, Hollingsworth, Hoyer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, McConnell, Miller, North, Offut, Ogden, Peed, Reeves, Reno, Richardson, Riggs, Scott, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—41.

Those who voted in the negative were, Messrs. Anderson, Barker, Blocher, Bowser, Branham, Brett, Broaddus, Cauthorn, Clay-

pool, Dial, Durham, Eaton, Glasgow, Glazebrook, Goble, Hardesty, Hatch, Hedrick, Heller, Henderson, Martin, McKinney, Pfrimmer, Prentiss, Rudder, Rumsey, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tulley, Whitworth, Willard, Woollen and Mr. Speaker—37.

So the motion of Mr. Shirley, to recommit with instructions, was laid on the table.

Said bill was then read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Billingsley, Bowser, Broaddus, Butts, Cowgill, Furnas, Glasgow, Gronendyke, Goudie, Henderson, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lent, McConnell, Miller, North, Offut, Ogden, Peed, Prentiss, Reeves, Riggs, Scott, Tingley, Thompson, (of Spencer), Troutman, Walker, Willson (of Ripley,) Wood and Woollen—35.

Those who voted in the negative were, Messrs. Baxter, Blocher, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Glazebrook, Goble, Hardesty, Hatch, Hedrick, Heller, Hoyer, Lenfesty, Martin, McKinney, Pfrimmer, Reno, Richardson, Rudder, Rumsey, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thompson (of Elkhart), Tulley, Whitworth, Willard, Wilson (of Blackford), Wynn and Mr. Speaker—46.

So the bill failed to pass.

Mr. Broaddus Chairman of the Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills, have compared Engrossed House bill No. 297 with the original bill and find it in all things correctly engrossed.

Mr. Willson, of Ripley, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary to whom was referred House bill No. 228, entitled an act to amend the third section of an act entitled an act relative to the disabilities of circuit judges to hold and discharge the duties of their office and providing for the appointment of judges *pro tem.* during the disability of said judge have had the same under consideration and direct me to report the same back to the House with the recommendation that it lie on the table.

Mr. Cowgill moved to re-commit said bill with the following instruction:

Re-commit to Judiciary Committee with instructions to so amend the bill as to deprive regular judges of their pay, when their courts are held by judges *pro tem.*

Which motion prevailed and the bill was re-committed with instructions.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following engrossed bill to-wit: Engrossed Senate bill No, 29, entitled a bill to provide for the enlargement of the State House Grounds, and the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Shirley from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, have had under consideration House bill No. 276—an act to prohibit counties and county boards from making any allowance for stationery to county officers, and have directed me to report the same back to the House with recommendation, that the same be laid on the table.

Pending the consideration of which report, on motion of Mr. Blocher, the House adjourned until 9 o'clock to-morrow morning.

This journal was read in the hearing of the committee, and found to be correct.

W. K. EDWARDS,
Speaker.

WEDNESDAY MORNING.

JANUARY 22, 1873, 9:30 O'CLOCK.

The House met pursuant to adjourment with the Speaker in the chair.

Prayer was offered by the Rev. C. H. Raymond of Indianapolis.

The journal of yesterday was read in part, when on motion of Mr. Hollingsworth, the further reading of the same was dispensed with.

The following message was received from the Governor by his private Secretary, Samuel R. Downey :

MR. SPEAKER :

By direction of the Governor, I have the honor, to lay before the House a communication accompanied by the report of Hon. Patrick Shannon, agent of State.

SAMUEL R. DOWNEY,
Private Secretary.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, January 21st, 1873.

Gentlemen of the House of Representatives :

At the request of Hon. Patrick Shannon, Agent of State, I herewith transmit his report of the transactions of his office from January 1, 1871, to December 31, 1872, inclusive.

THOMAS A. HENDRICKS,
Governor.

House bill No. 276—pending the consideration of which on yesterday the House adjourned—was taken up.

The question being, shall the report of the committee be concurred in, and the bill laid on the table?

Whereupon Messrs. Willson, of Ripley, and Cobb demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Broaddus, Buskirk, Cobb, Coffman, Cowgill, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Given, Glasgow, Goble, Hatch, Heller, Hoyer, Johnson, McConnell, McKinney, Mellett, North, Ogden, Pfrimmer, Reno, Richardson, Rudder, Satterwhite, Schmuck, Shirley, Smith, Spellman, Strange, Thayer, Tingley, Walker, Whitworth, Wilson (of Blackford), Wolflin and Woollen—46.

Those who voted in the negative were, Messrs. Barrett, Bowser, Branham, Butterworth, Butts, Cauthorn, Clark, Claypool, Cole, Crumpacker, Durham, Furnas, Goudie, Hardesty, Hedrick, Henderson, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, Miller, Odle, Peed, Prentiss, Reeves, Riggs, Rumsey, Scott, Shutt, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Willard, Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—45.

So the report of the committee was concurred in, and the bill laid on the table.

Mr. Broaddus, chairman of the Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed bills Nos. 146, 307, 314 and 332 with the original copies thereof, and find the same correctly engrossed.

The Speaker laid before the House the report of the State Superintendent of Public Instruction, which, on motion by Mr. Kimball, was laid on the table, and the number of copies required by law, being two thousand copies, ordered to be printed for the use of the members of the House.

The message of the Governor, in relation to the report of the Agent of State, was taken up, and, on motion by Mr. Kimball, the report was laid on the table and the number of copies required by law, being one thousand copies, ordered to be printed for the use of the members of the House.

The motion by Mr. Hardesty, to reconsider the vote by which House bill No. 101 failed to pass, pending the consideration of which motion the House adjourned on Friday last, was taken up.

The question being, shall the vote be reconsidered?

Whereupon, Messrs. Hardesty and Hedrick demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barrett, Billingsley, Bowser, Brett, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Cowgill, Durham, Eaton, Gifford, Given, Glazebrook, Gronendyke, Hardesty, Hatch, Henderson, Hoyer, Jones, Martin, Mellett, Miller, North, Odle, Richardson, Rumsey, Satterwhite, Schmuck, Smith, Spellman, Stanley, Strange, Thayer, Tingley, Troutman, Walker, Whitworth, Willard, Wilson (of Blackford,) Willson (of Ripley,) Wolflin and Woollen—45.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Branham, Broaddus, Buskirk, Claypool, Cole, Crumpacker, Dial, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Goble, Goudie, Hedrick, Heller, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Scott, Shirley, Shutt, Teeter, Thompson (of Elkhart,) Thompson (of Spencer,) Tulley, Wesner, Wood, Woodard, Wynn and Mr. Speaker—47.

So the vote by which House bill No. 101 failed to pass was not reconsidered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the

House to Senate bill No. 159, entitled "A bill to provide for the submission to the qualified voters of this State for their ratification or rejection, a proposed amendment to the Constitution of Indiana therein mentioned, and declaring an emergency."

The message of the Senate in relation to the appointment of a Joint Committee to investigate the account of the Trustee of the Soldiers' Home, was taken up and concurred in.

Whereupon the Speaker announced the following as such committee on the part of the House, Messrs. Tingley, Whitworth and Clark.

The message of the Senate in relation to redistricting the State for judicial purposes was taken up and concurred in.

Whereupon the Speaker announced as such committee on the part of the House, Messrs. Woollen, Willson (of Ripley,) Cowgill, and Cauthorn.

The message of the Senate in relation to the appointment of a committee to employ official reporters, and for the printing and binding of the brevier reports, was taken up, and on motion by Mr. Woollen, laid on the table and made a special order for Monday next at 2 o'clock p. m.

On motion by Mr. Furnas, House bill No. 327 was taken from the table and referred to the Committee on Temperance.

On motion by Mr. Mellett, House bill No. 55 was taken from the table and recommited to the Committee on Education

Engrossed House bill No. 213 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Edwards, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Groenendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell,

McKinney, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart,) Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Woolflin, Wood, Woodard, Wynn and Mr. Speaker—89.

No one voting in the negative, so the bill passed.

The question being, shall the bill as read stand as the title of the bill ?

It was so ordered.

Engrossed House bill No. 225 was taken up and read a third time, whereupon Mr. Shutt offered the following amendment:

I move to strike out the word "blackbird," where it occurs in said bill.

Which amendment was adopted by unanimous consent.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Odle, Ogden, Prentiss, Reeves, Reno, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford); Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—65.

Those who voted in the negative were, Messrs, Barker, Blocher, Cauthorn, Claypool, Coffman, Crumpacker, Dial, Ellsworth, Glasgow, Henderson, Miller, Peed, Pfrimmer, Richardson, Riggs, Rudder, Scott, Stanley, Strange, Teeter, Tulley, Whitworth, Willard and Wolflin—23.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Miller offered the following amendment:

I move to amend the title to said bill by striking out the words "and declaring an emergency."

Which amendment was adopted and the title as amended approved.

Engrossed House bill No. 261 was taken up, read a third time, and put upon its passage.

Pending which, on motion by Mr. Branham, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, the Speaker in the chair.

The consideration of House bill No. 261, pending which, the House adjourned this morning, was resumed.

Mr. Branham moved to postpone the further consideration of said bill until Wednesday next at 10 o'clock a. m., and make it a special order for that hour.

Whereupon Messrs. Branham and Kimball demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Given, Glasgow, Goble, Goudie, Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McKinney, Mellett,

Miller, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Satterwhite, Schmuck, Scott, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Woodard, Wynn and Mr. Speaker—72

Those who voted in the negative were, Messrs. Barker, Crumpacker, Dial, Ellsworth, Hedrick, Martin, McConnell, Reed, Reno, Richardson, Rumsey, Shirley, Shutt, Strange, Teeter, Tulley, Willard, Woodard and Woollen—19.

So the further consideration of said bill was postponed until Wednesday next at 10 o'clock a. m., and made a special order for that hour.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolutions to-wit:

Resolved by the Senate, the House of Representatives concurring therein, That the State Librarian is hereby instructed to procure a new flag to be placed on the flag-staff to float over the State Capitol.

In which the concurrence of the House is respectfully requested. Also,

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, That this General Assembly will vote no money to pay claims for services rendered, or materials furnished to the State, prior to the meeting of the last special session of the General Assembly, unless such claims shall be presented to the proper committee on claims, at least twenty days before the last day of the present session, and the Joint Committee on Claims is hereby instructed not to consider any such bills or claims presented after the time herein specified.

In which the concurrence of the House is respectfully requested.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Engrossed House bill, to-wit:

Engrossed House bill No. 293, entitled "A bill to repeal an act fixing the time and mode of electing State Printer, defining his duties, fixng compensation and repealing all laws coming in conflict with this act," passed March 1859, and to abolish the office of State Printer, and the same is herewith returned to the House of Representatives.

The Speaker laid before the House, the following communication from the State Superintendent of Public Instruction presenting his 20th Annual Report.

INDIANAPOLIS, January 22, 1873.

Hon. W. K. Edwards, Speaker of House of Representatives:

SIR:—In accordance with the 123d section of the School Law, I take pleasure in presenting to you, and through you to the General Assembly, the 20th Annual Report from this department.

MILTON B. HOPKINS,
Superintendent Public Instruction.

House bill No. 10 was taken up and read a third time, whereupon Mr. Kimball offered the following amendment:

Moved to amend the bill, so as to limit the amount for which the bonds shall be sold to not less than ninety-five cents on the dollar.

Which amendment was adopted by unanimous consent.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barrett, Billingsley, Ellsworth, Eward, Glazebrook, Gronendyke, Hardesty, Jones, Kirkpatrick, Martin, Mellett, Miller, North, Ogden, Reno, Richardson, Riggs, Satterwhite, Shutt, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Walker, Wolflin, Wood, Woollen, Wynn and Mr. Speaker—31.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Gifford, Given, Glasgow, Goble, Goudie, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Kimball, King, Lenfesty, Lent, McConnell, McKinney, Odle, Peed, Pfrimmer, Prentiss, Reeves, Rudder, Schmuck, Scott, Smith, Spellman, Tingley, Thompson (of Elkhart), Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), and Woodard—60.

So the bill did not pass.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following joint resolution to-wit:

Senate Joint Resolution No. 5, entitled, "A Joint Resolution to make temporary provision for the public printing," and the same is herewith transmitted to the House for its action thereon.

Engrossed House bill No. 299 was taken up and read a third time.

Whereupon Mr. Gronendyke offered the following amendment:

I move to strike out the word "red" where it occurs in said bill before the word "fox" or the word "foxes."

Which amendment was adopted by unanimous consent.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Claypool, Cobb, Coffman, Cowgill, Dial, Edwards, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Kirkpatrick, Martin, McConnell,

McKinney, Mellett, Miller, North, Odle, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Scott, Shutt, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Whitworth, Willard, Willson (of Ripley,) and Wynn—53.

Those who voted in the negative were, Messrs. Baker, Blocher, Broaddus, Cauthorn, Clark, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Gifford, Given, Glazebrook, Hedrick, Kimball, King, Lenfesty, Lent, Ogden, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Smith, Strange, Teeter, Thayer, Troutman, Wesner, Wilson (of Blackford), Wolflin, Woodard, Woollen and Mr. Speaker—34.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Gronendyke offered the following amendment:

I move to amend the title of said bill, by striking out the word "red" where it occurs in said title before the word "fox" or the word "foxes."

Which amendment was adopted, and the title as amended approved.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey.

Mr. Speaker:

I am directed by the Governor to respectfully inform the House, that he has approved and signed enrolled act No. 294, entitled, "An act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the forty-eight regular session of the General Assembly of the State of Indiana, and that he has caused said act to be deposited in the office of the Secretary of State."

SAMUEL R. DOWNEY,
Private Secretary.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has appointed on the committee to examine the books and records of the Superintendent of the Soldiers' and Seamen's Home, Messrs. Boone and Bunyan.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has appointed on the committee to re-district the State for judicial purposes so as to equalize the burdens of the Circuit and Common Pleas Judges, Senators Gooding, Hubbard and Glessner.

Senate Joint Resolution No. 5 was taken up, read a third time and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Edwards (of Lawrence,) Eward, Gifford, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, Mellett, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Barker, Barrett, Blocher, Bowser, Buskirk, Cauthorn, Claypool, Coffman, Crumpacker, Dial, Eaton, Ellsworth, Given, Glasgow, Goble, Hedrick, Heller, Martin, McKinney, Miller, Peed, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tulley, Whitworth, Willard and Woollen—36.

So the joint resolution passed.

Whereupon Mr. Brett moved to reconsider the vote just taken on the passage of Senate Joint Resolution No. 5.

Which motion prevailed, and the vote was reconsidered

Mr. Brett moved to refer said Senate Joint Resolution No. 5 to a select committee of three.

Which motion prevailed, and the Speaker appointed as such committee Messrs. Brett, Walker and Billingsley.

Engrossed House bill No. 307 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Given, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Heller, Hendeson, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Smith. Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wolflin, Wood, Woodard, Woollen and Mr. Speaker—81.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Blocher introduced House bill No. 355—an act authorizing the auditor of Scott county to correct the report made to the Superintendent of Public Instruction relating to the school fund, common and congressional, as required by an act entitled "An act requiring county auditors to make examination of the records of their office in relation to the school fund and make report, and providing compensation therefor," approved December 21, 1865, and declaring an emergency.

Which was read a first time and referred to the Committee on Education.

Mr. Wolflin presented a petition from sundry citizens of Vanderburg county remonstrating against the passage of any temperance law.

Which was referred to the Committee on Temperance.

Mr. Butterworth introduced House bill No. 356—an act concerning cemeteries.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Broaddus presented a petition from sundry citizens of Fayette county, asking for the enactment of a good temperance law.

Which was referred to the Committee on Temperance.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 122, providing for appraisement of real estate in all cities of thirty thousand or more inhabitants, providing compensation and prescribing duties of county auditors, have had the same under consideration and suggest the following amendments:

Strike out after the word "shall" in line nine, in section one, the words "for the year eighteen hundred and seventy-four," and the word "appraiser" in line eleven, same section, and make it read the assessor of the personal property and real estate, etc. Also, amend further in line thirteen, same section, after the word "city," by striking out the words "and such." Also, by striking out lines 14, 15, 16, 18 and 19, of same section, and the words "and seventy-four," in line 19. Also insert the words "and assessment" after the word "appraisement" in line 22, same section. Which recommendations are necessary to make the bill agree with the language and requirements of the new revenue law, with these amendments, the committee recommend the passage of the bill.

Which report was concurred in and the amendment adopted.

Mr. Ogden was granted leave of absence until Monday next.

Messrs. Brett and Tulley were granted leave of absence until Tuesday next.

Mr. Dial was granted leave of absence until Wednesday next.

Mr. Anderson was granted leave of absence until Monday next.

Mr. Cauthorn moved that when the House adjourn on Friday morning next it adjourn until Monday next at 2 o'clock, p. m.

Which motion prevailed.

Mr. Cowgill, Chairman of the Committee on Mileage and Accounts, submitted the following report:

Mr. Speaker:

Your Committee on Mileage and Per Diem, to whom was referred the list of employees under the act regulating their appointment and compensation, on examination find that the following are entitled to be allowed and paid for services the amount per diem set opposite their respective names, viz.:

Appointed by the Speaker.

Charles C. Barrett, Speaker's page	$3 00
Edward Mason, George O. Cobb, Elmer Aft, Samuel Maxwell, — Floor pages, each	3 00

Appointed by the principal clerk:

John C. McCormick, registering clerk	$5 00
John S. Resse, reading clerk	5 00
John C. Eilen, file clerk	5 00
John M. Cunnus, enrolling clerk	5 00
D. W. Rowland	5 00
Electa Pettyjohn	5 00
Stephen Metcalf	5 00
Granville Wright	5 00
W. H. Snodgrass	5 00
Eugene Sullivan	5 00
Charles Sumbrit, page	3 00

Appointed by the assistant clerk:

Alexander Sheppard, journal clerk	$5 00
William S. Barkley, minute clerk	5 00
Daniel M. Ransdell, copying clerk	5 00
William H. Brown, copying clerk	5 00
John S. Pitman, copying clerk	5 00
Lewis P. Willson, copying clerk	5 00
J. S. Cookus, copying clerk	5 00

Appointed by the principal doorkeeper:

J. J. Ferris, first assistant	$5 00
Frank Busby, west lobby	5 00
W. H. Freeman, east lobby	5 00
J. H. Edwards, postmaster	5 00
Jessie Green, sweeper and mail carrier	5 00
M. S. Wagner, water carrier	5 00
Frank Mattock, paper folder	5 00
F. Sofler, spittoon cleaner	5 00
Three clerks of committee, Mrs. M. S. Monroe, Webster Dixon, each	5 00

Which report was concurred in.

Mr. Butts presented a petition from sundry citizens asking for the completion of the Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Satterwhite presented a petition from sundry citizens asking for the completion of the Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

On motion, the House adjourned until to-morrow morning at 9:30 o'clock.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS, Speaker.

THURSDAY MORNING.

JANUARY 23, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. J. H. Bayliss, of Roberts Park Church of Indianapolis.

The journal of yesterday was read in part, when, on motion by Mr. Crumpacker, the further reading of the same was dispensed with.

Mr. Anderson moved to reconsider the vote by which House bill No. 342 was indefinitely postponed.

Which motion prevailed.

Said bill was then read a second time.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 292, entitled "An act supplemental to an act entitled 'An act regulating proceedings in cases of bastardy, and providing for the support of illegitimate children,'" have considered said bill and recommend that the same be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 153, entitled "A bill to provide for the call of a convention of the people of the State of Indiana to form a Constitution for said State," having had the same under consideration, have directed me to report the said bill back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Brett, chairman of the Select Committee, to whom was referred Senate Joint Resolution No. 5, submitted the following report:

Mr. Speaker:

The select committee, to whom was referred Senate Joint Resolution No. 5, making temporary provision for the public printing, having had the same under consideration, have directed me to report the same back to the House with the following amendment; add at the close thereof, the following:

Provided, that said printing shall be done on the best terms that can be secured in the city of Indianapolis, and that no printing shall be done, except such as is necessary for the use of the General Assembly, at its present session, and that no contract for the same shall extend beyond the close of this session and after the adoption of said amendment recommend its passage.

Which report was concurred in, the amendments adopted, considered as engrossed, the joint resolution as amended was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—83.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 236, entitled "An act providing for the taking the senses of the qualified voters of this State on the calling of a convention to alter, amend or revise the constitution of this State, having had the same under consideration, have directed me to report the same back to the House without recommendation.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Branham offered the following resolution:

Resolved, That the Principal and Assistant Clerk of this House be authorized to draw from the Secretary of State such stationery as necessary for their use in the discharge of their official duties in this House.

Which resolution was adopted.

Mr. Willson, of Ripley, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 280, entitled an act to amend section 169 of an act entitled "An act providing for the settlement of decedents' estates, prescribing rights and liabilities of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement," have had the same under consideration, and direct me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 270, entitled "A bill for an act to provide for the service of summons in suits commenced before justices of the peace where the defendants reside in adjoining counties, providing for the execution of judgments and issuing executions thereto," have had the same under consideration, and direct me to report it back with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Wesner, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, have had under consideration House bill No. 238, and have directed that the same be reported back to the House with the recommendation that the same be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 271, have had the same under consideration and direct me to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 349—an act to repeal an act providing for the redemption of real property, etc., have had the same under consideration and direct me to report the same back with the recommendation tha the same be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 239—a bill for an act to prevent the erection of slaughter houses, dead animals, rendering houses, soap and starch factories, and other offensive trades, upon any stream of water which runs to or by any water works within the distance of four miles above said water works, and prescribing penalties for violations of this act, have had the same under consideration and direct me to report the same back with the recommendation that it be indefinitely postponed.

The Speaker stated that said bill had no enacting clause; that the supposed bill and all proceedings thereon were out of order.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your committee to whom was referred House bill No. 286, entitled, "An act defining misdemeanors and prescribing punishment therefor," have had the same under consideration and direct me to report the same back with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 264, entitled a bill to amend section eighteen of an act entitled, "An act regulating descent and the apportionment of estates," have considered said bill and recommend that the same be amended as follows:

Amend at line twenty-five, by adding after the word "deed," in said line, the following words, to-wit: "In which her husband shall join;" and when such bill is so amended, your committee recommend that the same pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 319, entitled "An act defining the crime of embezzlement by certain officers and prescribing the punishment therefor," have considered said bill, and by instructions from said committee I herewith return the same to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 324, entitled, "An act to repeal section forty-seven of an act defining felonies and prescribing punishment therefor," having had the same under consideration, have directed me to report the same back with the recommendation that it be referred to the Committee on Rights and Privileges.

Which report was concurred in.

Mr. Wood, from the Committee on the Organization of Courts, submitted the following report:

Mr. Speaker:

The Committee on the Organization of Courts, to whom was referred House bill No. 311—a bill for an act fixing the time of holding the courts in the fifth judicial circuit, have had the same under consideration, and beg leave to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

The Speaker announced that he had signed enrolled act of the House No. 293.

Mr. Claypool, from the Committee on the Organization of Courts, submitted the following report:

Mr. Speaker:

The Committee on the Organization of Courts, to whom was referred House bill No. 215—an act entitled "An act to create the judicial circuit; to authorize the appointment of a judge and prosecuting attorney therefor; to fix the time of holding courts therein, and to transfer the county of Union from the twenty-sixth circuit to the fourth circuit"—have had the same under consideration, and have directed me to report the same back with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Glasgow, from the Committee on the Organization of Courts, submitted the following report:

Mr. Speaker:

Your Committee on the Organization of Courts, to whom was referred House bill No. 310—a bill fixing the time for holding the courts in the twelfth common pleas district—have had the same under consideration, and direct me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Cobb, chairman of the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have examined enrolled House bill 293—entitled "An act to repeal an act entitled 'An act fixing the time and mode of electing State Printer, defining his duties, fixing compensation, and repealing all laws coming in conflict therewith,'" etc.—have examined the same and find it correctly enrolled.

Mr. Edwards, of Lawrence, from the Committee on the Organization of Courts, submitted the following report:

MR. SPEAKER:

Your Committee on the Organization of Courts, to whom was referred House bill No. 287—an act entitled "An act to fix the time of holding the common pleas court in the county of Decatur in the twenty-second district"—have had the same under consideration and direct me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Willson, of Ripley, chairman of the Committee on the Organization of Courts, submitted the following report:

MR. SPEAKER:

Your Committee on the Organization of Courts, to whom was referred House bill No. 252, entitled "An act to fix the time of holding courts in the twentieth judicial district of this State," instruct me to report the same back with the following amendments:

Strike out after the enacting clause, and insert the following, to-wit: That the spring and fall terms of the Common Pleas district shall be held as follows: In the county of Adams, commencing on the first Mondays of September and May of each year; in the county of Wells, on the Monday succeeding the court in the county of Adams; in the county of Huntington, on the

Monday next succeeding the court in the county of Wells; and in the county of Allen, on the Monday next succeeding the court in the county of Huntington. The winter terms of said courts shall be held as follows: In the county of Huntington, on the first Monday in January of each year; in the county of Adams, on the Monday next succeeding the court in the county of Huntington; in the county of Wells, on the Monday next succeeding the court in the county of Adams, and in the county of Allen, on the Monday next succeeding the court in the county of Wells.

SEC. 2. The length of the terms of said courts shall be as follows: In the county of Adams, two weeks; in the county of Huntington, three weeks, and in the county of Allen, as long as the business thereof shall require.

SEC. 3. It is hereby declared that an emergency exists for the immediate taking effect of this act; it shall take effect and be in force from and after its passage, and when so amended, your committee recommend its passage.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Satterwhite, chairman of the Committee on Banks, submitted the following report:

MR. SPEAKER:

The Committee on Banks, to whom was referred Senate bill No. 2—a bill to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana, have had the same under consideration, and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in.

Whereupon Mr. Shirley offered the following amendments:

Senate bill No. 2, amend section three, by striking out the word "may" in line eight and insert "shall," and strike out in same line the words "if deemed proper;" and in ninth and tenth lines, strike out the word "or" and letter "a" and between the words "president and cashier," insert the word "and," and at the word "cashier" and after the same insert the words "to execute separate bonds;" in line

ten add "s" to sum making sums, and "they" in place of "he;" in line twelve strike out the word "his," and after word "discharge" write the words "their several," add "s" to officers, and "their" after the word "during;" and after the word "office," in line fourteen, add the following "which said bonds shall be filed in the office of Secretary of State for the benefit of the stock holders and creditors of such bank."

Which amendments were adopted.

Whereupon Mr. Teeter offered the following amendment:

Amend by striking out the words "cease to be" in line eight, section six, and inserting the word "become."

Which amendment was adopted.

The amendments were considered as engrossed, and the bill as amended was read a third time.

Mr. Given, from the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 355, entitled "An act authorizing the auditor of Scott county to correct the report made to the Superintendent of Public Instruction relating to the school fund, common and congressional, as required by an act entitled 'An act requiring the county auditors to make examination of the records of their offices in relation to school funds, and make report providing compensation therefor,'" approved December 21, 1865, and declaring an emergency, have had the same under consideration, and directed me to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill

No. 341, to provide for the appraisement of the lands belonging to the Indiana State University, report the same back and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 255, providing for the re-appraisement of certain University lands, report the same back and recommend that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 316, have instructed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and referred to the Committee of the Whole House on Wednesday next, January 29, 1873.

The Committee on the Affairs of the Prisons was granted leave of absence until Tuesday next.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred claim No. 8, Henry Coleman, for washing towels for the House of Representatives for the Special Session, report that they have had the same under consideration, and recommend that the said Henry Coleman

be allowed the sum of $10.00, and that the same be referred to the Committee on Ways and Means to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred claim No. 1, Isaac Hodgson, for directing and superintending the repairing of the Supreme Court building and House of Refuge, report that they have had the same under consideration, and recommend that the said Isaac Hodgson be allowed the sum of one hundred and fifty dollars, and that the same be referred to the Committee on Ways and Means to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Claims, to whom was referred the claim of Wm. B. Walter for expenses in contesting the seat of R. S. Taylor as Representative of Allen county in the regular session of the General Assembly in 1871; that the time from the commencement of the session until said contest was decided was thirty-four days, and that according to usage in such cases in this General Assembly from time immemorial, the per diem has been allowed from the commencement of the session until the decision of such contest, that it has also been the usual custom to allow mileage in such cases, and that according to precedent thus established said Walter is entitled to mileage and per diem in the sum of $222.40, which amount the committee recommend be allowed.

Which report was concurred in.

Mr. Lenfesty, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Committee on Claims to whom was referred claim No. 8, Barnabas C. Hobbs, to balance of payment due while serving as Superintendent of Public Instruction, from October 19, 1868, to March 15, 1871, for office rent, twenty-nine months, at fifteen dollars.....$435 00
For fuel..... 41 66
Keeping same.....232 00

Report that they have had the same under consideration and recommend that the said Barnabas C. Hobbs be allowed the sum of $476.66, and that $232 janitor's fees be not allowed, and that the same be referred to the Committee on Ways and Means to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Teeter, from the Committee on Fees and Salaries, submitted the following report:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred House bill No. 321, entitled "An act in relation to fees of justices of the peace and constables," have had the same under consideration and have instructed me to report the same back with the recommendation that it pass.

Which report was concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed Enrolled Act of the House of Representatives No. 293, entitled " An act to repeal an act fixing the time and mode of electing the State Printer, defining his duties, fixing compensation and repealing all laws coming in conflict with this act," passed March, 1859, and to abolish the office of State Printer, and the same has been delivered to the Joint Committee on Enrolled Bills, in compliance with the joint rules.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills of the House, to-wit:

Engrossed House bill No. 301, entitled "A bill to change the time of holding the summer terms of the Bartholomew Circuit Court.

Also, Engrossed bill No. 302 of the House, entitled "A bill to fix the Bartholomew Common Pleas Courts;" and the same are herewith returned to the House.

Mr. Thayer, chairman of the Committee on Manufactures and Commerce, submitted the following majority report:

MR. SPEAKER:

The Committee on Manufactures and Commerce, to whom was referred House bill No. 217, entitled "An act to amend section six of an act entitled 'An act concerning promissory notes,'" approved May 12, 1852, and declaring an emergency, with an amendment to the same.

Also, House bill No. 317, entitled "An act providing that certain notes or bills of exchange shall be void," have had the same under consideration, and a majority of said committee have instructed me to report the same back to the House with the recommendation that they be laid on the table.

Mr. Given, from the Committee, submitted the following minority report:

MR. SPEAKER:

The undersigned minority of the Committee on Manufactures and Commerce, to whom was referred House bill No. 217, entitled 'An act to amend section six of an act entitled 'An act concerning promissory notes,'" approved May 12, 1852, and declaring an emergency, have had the same under consideration and recommend that it pass.

The question being, shall the minority report be substituted for the majority report?

Pending the consideration of which, the House took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Thompson, of Elkhart, chairman of the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

Your Committee on County and Township Business, to whom was referred House bill No. 289, entitled "An act to amend sections one and four of an act authorizing recorders to make out complete or general indexes of records of deeds and mortgages, and to procure and use seals," approved February 16, 1852, and amended by the acts of the General Assembly of 1855, have had the same under consideration, and report the same back to the House and recommend that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Tingley, from the Committee on Benevolent and Scientific Institutions, submitted the following report:

MR. SPEAKER:

Your Committee on Benevolent and Scientific Institutions, to whom was referred House bill No. 273, entitled, "An act to amend sections 37 and 38 of an act for the relief of the poor," approved June 9, 1852, have had the same under consideration, and beg leave to report the same back to the House with the recommendation that it lie on the table; and your committee further report that, in their judgment, the present law, now in force, is sufficient if properly enforced on this subject

Which report was concurred in, and the bill laid on the table.

Mr. Butts, from the Committee on Temperance, submitted the following report :

Mr. Speaker :

The Committee on Temperance, to whom was referred House bill No. 312—an act to prescribe an official oath (or affirmation), and to prescribe a cause for, and a manner of removal from office of any person holding office in this State—have had the same under consideration, and instruct me to report it back with the following amendments, to-wit :

Strike out section one. Prefix to section two the words : "*Be it enacted by the General Assembly of the State of Indiana,* That"—and that the section be correctly numbered.

And when so amended, the committee recommend that it pass.

Which report was concurred in, the amendments adopted, the bill read a second time and ordered to be engrossed.

On motion of Mr. Butts, said bill was made a special order for Thursday next, at 2 o'clock p. m.

Mr. Lenfesty, chairman of the Committee on Federal Relations submitted the following report :

Mr. Speaker :

Your Committee on Federal Relations, to whom was referred House Joint Resolution No. 10, report the same back with amendment : strike out the words " for not less than ninety days;" after which the committee recommend its passage.

Which report was concurred in, the amendment adopted and considered as engrossed.

The joint resolution as amended, read and put upon its passage.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baker, Barrett, Baxter, Billingsley, Bowser, Broaddus, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given,

Goble, Gronendyke, Hardesty, Hatch, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Odle, Peed, Prentiss, Reeves, Riggs, Satterwhite, Scott, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—61.

Messrs. Miller and Richardson voting in the negative.

So the joint resolution passed.

The question being, shall the title of the joint resolution as read stand as the title of the joint resolution?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House, that the Senate has concurred in the amendment of the House to Senate Joint Resolution No. 5, entitled "A Joint Resolution to make temporary provision for the public printing."

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred engrossed Senate bill No. 10, have had the same under consideration and have directed me to report the same back to the House and recommend its passage.

Which report was concurred in, the bill read a second time, and on motion of Mr. Woodard, referred to the Committee on Railroads.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 100, in relation to laying out, vacating and widening streets, alleys and highways and water courses within incorporated cities, have had the same under consideration, and have directed me to report the same back to the House with the following amendments :

In section nine, line eleven, after the words "report and filings," a copy thereof in the office of the recorder of the county.

In section eleven, line thirty, strike out the word "ten" after the word "within," and insert the word "ninety."

In section fourteen, line five, after the words "time of," strike out the words "filing of said report" and insert the words "confirmation of said report by the council."

After being so amended, would recommend its passage.

Which report was concurred in and amendments adopted.

Mr. King moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Bowser, Butterworth, Cauthorn, Clark, Claypool, Coffman, Crumpacker, Durham, Edwards (of Lawrence,) Gifford, Goudie, Gronendyke, Hardesty, Hatch, Heller, Johnson, Jones, Kimball, King, Leufesty, Martin, McKinney, Miller, North, Odle, Offut, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Thompson (of Spencer,) Whitworth, Willard, Wilson (of Blackford,) Willson (of Ripley,) Wolflin, Wood, Woodard, Woollen, Wynn and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Barker, Baxter, Blocher, Broaddus, Butts, Cowgill, Dial, Ellsworth, Eward, Given, Goble, Hedrick, Hollingsworth, Hoyer, Kirkpatrick, McConnell, Peed, Reno, Richardson, Scott, Smith, Tingley, Thompson (of Elkhart,) and Troutman—24.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Cole, Crumpacker, Edwards (of Lawrence,) Eward, Furnas, Gifford, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Offut, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Thompson, (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Whitworth, Willard, Wilson (of Blackford,) Wood, Woodard, Woollen and Mr. Speaker—68.

Those who voted in the negative were, Messrs. Baker, Broaddus, Dial, Durham, Ellsworth, Given, Hoyer, Reno, Rumsey, Smith, Tingley and Wolflin—12.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Cobb, chairman of the Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills have this 23d day of January, 1873, presented Enrolled House bill No. 293, entitled an act to repeal an act entitled "An act fixing the time and mode of electing a State Printer," etc., to the Governor for his approval.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 82, entitled a bill to amend section nine of an act entitled "An act to provide for electing elector for President and Vice President of the United States," approved May 20, 1852, and declaring an emergency.

Also, Engrossed Senate bill No. 24, entitled a bill to amend section thirty of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereof," approved December 20, 1865, and declaring an emergency.

And the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 201, exempting property of cities and incorporated towns from sale in certain cases, have had the same under consi l-ation have directed me to report same back to the House with a recomendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Reeves, Chairman of the Committee on Roads, submitted the following report:

Mr. Speaker:

Your committee, to whom was referred House bill No. 252, have had the same under consideration, and report the same back, recommending its passage.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Rumsey, from the Committee on Roads, submitted the following report:

MR. SPEAKER:

Your Committee on Roads, to whom was referred House bill No. 266, have had the same under consideration, and report the same back to the House and recommend its passage.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Billingsley offered the following joint resolution—a joint resolution directing a settlement with the State Printer.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Buskirk, Butterworth, Butts, Clark, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Goble, Goudie, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, Mellett, Miller, North, Odle, Offut, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood Woodard, Woollen, Wynn and Mr. Speaker—77.

Mr. Claypool voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Senate bill No. 2, passed over informally this morning, was taken up and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Bowser, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, North, Odle, Offut, Peed, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Shutt, Spellman, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Whitworth, Wilson (of Blackford), Wolflin, Wood, Woollen and Wynn—63.

Those who voted in the negative were, Messrs. Cole, Cowgill, Mellett, Prentiss, Reno, Rumsey, Scott, Shirley, Smith, Stanley, Tingley, Willard, Willson (of Ripley), Woodard and Mr. Speaker —15.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

Mr. Barrett introduced House bill No. 357—an act limiting the damages which may be assessed by any court or jury, on account of attorneys fees in suits upon contracts, providing for the payment of attorneys fees by the obligee in the same.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Mr. Barrett presented petitions from sundry citizens, asking for passage of Senate bill No. 31.

Which were referred to the Committee on Roads.

Mr. Richardson introduced House bill No. 358—a bill for an act to repeal section six of an act entitled, "An act concerning promissory notes, bills of exchange, bonds or other instruments in writing, signed by any person who promises to pay money or acknowledged money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein

mentioned and repealing all laws coming in conflict therewith," approved March 11, 1871.

Which bill was read a first time, and referred to the Committee on Manufactures and Commerce.

Mr. Mellett introduced House bill No. 359—an act to regulate and restrain the running at large of swine.

Which bill was read a first time and referred to the Committee on Agriculture.

Mr. Mellett introduced House bill No. 360—an act to appropriate one hundred and fifty dollars for the distribution of the report of the Superintendent of Public Instruction.

Which bill was read a first time.

Mr. Mellett presented the claim of Joseph R. Buckles for money paid on lands purchased of the State by said Buckles, in which the title of the State has failed, etc.

Which was referred to the Committee on Claims.

Mr. Willard introduced House bill No. 361—an act to repeal all laws now in force establishing the time of holding circuit courts in the second judicial circuit, to fix the times of holding said courts, requiring all persons to take notice thereof, providing for the return of process, and declaring an emergency.

Which bill was read a first time.

Mr. Buskirk introduced House bill No. 362—an act to amend section three of an act entitled "An act to provide compensation to the owner of animals killed or injured by the cars, locomotives, or other carriages of any railroad companies in this State," approved March 1, 1853.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Buskirk introduced House bill No. 363—an act to regulate the fees of attorneys in certain cases.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Lenfesty introduced House bill No. 364—an act concerning taxes voted in aid of railroad companies, and granting to the board of county commissioners certain powers in relation thereto.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Clark presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Clark presented a petition from one hundred and fifty-three ladies of Hamilton county, asking for the completion of the Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Offut presented the petition of sundry citizens of Hancock county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Hedrick introduced House bill No. 365—an act to amend section thirteen of an act entitled "An act to establish public libraries," approved February 16, 1852.

Which bill was read a first time and referred to the Committee on Education.

Mr. Kirkpatrick introduced House bill No. 366—an act supplemental to an act entitled "An act authorizing the assessment of lands for plank, Macadamized and gravel road companies, prescribing the manner of assessing and collecting the same, and repealing the law on that subject," approved March 11, 1867.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Kirkpatrick introduced House bill No. 367—a bill providing

for the disposal of unclaimed county orders in the several counties of this State.

Which bill was read a first time and referred to the Committee on Education.

Mr. Cobb introduced House bill No. 368—an act regulating legislative practice; also, the allowance of claims against the State of Indiana.

Which bill was read a first time and referred to the Committee on Claims.

Mr. Wynn introduced House bill No. 369—an act amending the fifth section of an act providing for the appointment of notaries public and defining their powers and duties, approved June 9, 1859.

Which bill was read a first time and referred to the Committee on Federal Relations.

Mr. Wynn introduced House bill No. 370—an act providing for the regular sessions of the Board of County Commissioners and repealing all laws and parts of laws in conflict therewith.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Wynn introduced House bill No. 371—an act supplemental to an act to provide for a uniform assessment of property and for the collection and return of taxes thereof, approved December 21, 1872.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Woollen offered the following concurrent resolution:

WHEREAS, By an act of the General Assembly of Tuesday, February 18, 1873, has been fixed for the electors of the State to accept or reject the amendment now pending to the Constitution of the State; and

WHEREAS, The constitution requires amendments in several particulars, and such amendments should be submitted for the

consideration of the General Assembly as early as possible, so that they may be disposed of, and incorporated in the constitution; therefore,

Resolved, the Senate concurring herein, That a committee of five on the part of the House, and three on the part of the Senate, be appointed to mature and submit to this General Assembly such amendments to the constitution as they may deem proper, and that they report on the 20th day of February next.

Which concurrent resolution was adopted.

Mr. Woollen introduced House bill No. 372—an act to amend an act appropriating $125,000 to defray the expenses of the forty-eighth regular session of the General Assembly of the State of Indiana, approved January 21, 1873.

Which bill was read a first time and referred to the Committee on Ways and Means.

Mr. Thayer presented a petition from sundry citizens of Marshall county on the subject of temperance.

Which was read a first time and referred to the Committee on Temperance.

Mr. Thayer introduced House bill No. 373—an act providing for the trial of causes in the several courts of common pleas in cases in which the judge of such courts is interested or related to either of the parties, or may have been counsel to any party, or any cause pending in such court, or otherwise disqualified, and repealing section ten, of chapter four, of an act entitled "An act to establish courts of common pleas and defining the jurisdiction and duties of, and providing compensation for the judges thereof."

Which was read a first time and referred to the Committee on the Judiciary.

Mr. Wood introduced House bill No. 374—an act to amend section sixteen of an act entitled an act concerning real property and the alienation thereof, approved March 6, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Edwards, of Lawrence, introduced House bill No. 375—a bill for an act to amend section one of an act approved March 2, 1865, entitled an act to discourage the keeping of useless or sheep killing dogs, and providing penalities for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in the act shall be so construed as to conflict with provisions of an act entitled an act for the protection of sheep, approved June 16, 1852.

Which bill was read a first time and referred to the Committee on Right and Privileges.

Mr. Hardesty offered the following concurrent resolution:

WHEREAS, There is some misunderstanding in regard to the title of certain real estate, lying between Washington and Ohio, Tennessee and Mississippi streets in the city of Indianapolis, said misunderstanding being as to whether the State of Indiana or private persons are the owners of said real estate, therefore,

Resolved by the House of Representatives, the Senate concurring, That the Attorney General of the State of Indiana be instructed to examine the title to said real estate and report the result of said investigation to the General Assembly.

Which concurrent resolution was adopted.

Mr. King introduced House bill No. 376—an act concerning cemeteries, and repealing all laws in conflict therewith.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Johnson introduced House bill No. 377—a bill declaratory of the law of this State as to the eligibility of women to certain offices therein mentioned.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Johnson introduced House bill No. 378—a bill to authorize the purchase of gravel roads for the purpose of making them free of toll.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Peed introduced House bill No. 379—an act to provide for the publication of the proceedings and allowance of boards of county commissioners, and for the publication of the receipts and expenditures of township trustees, and for other purposes.

Which bill was read a first time and referred to the Committee on Public Printing.

Mr. Satterwhite offered the following concurrent resolution:

WHEREAS, By the great fire of Chicago the Law Institute of that city lost its Library; and

WHEREAS, The Judges of the Supreme Court and the Governor of this State sent to the Hon. S. B. Gookins a full set of Indiana Reports, a set of Indiana Statutes (Gaven & Hord), consisting of three volumes, the property of the State; and

WHEREAS, These books were sent and received with the understanding that they would be returned to the Governor and Judges of the Supreme Court, unless the General Assembly should sanction their retention by the Law Institute of Chicago as a donation to its Library from the people of the great State of Indiana: therefore be it

Resolved by the General Assemby of the State of Indiana, That the above mentioned books be retained by that association as a contribution from the State of Indiana to the Institution, and that the Secretary of State be instructed to notify the officers of that Institution of the adoption of this resolution.

Which concurrent resolution was adopted.

Mr. Stanley introduced House bill No. 380—an act legalizing summons executions and other process of law issued by Justices of the Peace in incorporated cities to the marshals of said cities, as also all acts done or performed under and by color of such writs and protecting such marshals from prosecutions for acts done under and by color thereof.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Reno introduced House bill No. 381—an act regulating the per diem of members of the General Assembly.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Woodard introduced House bill No. 382—an act relative to the salary of the Superintendent of Public Instructions and providing the manner of paying the same.

Which bill was read a first time and referred to the Committee on Fees and Salaries.

Mr. Whitworth introduced House bill No. 383—an act to enable owners of overflowed farming land to enclose the same, when it can not be done without affecting the lands of others and prescribing the powers and duties of county boards and county auditors in relation thereto.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House, that the Senate has passed the following bill to-wit:

Engrossed Senate bill No. 122, entitled, "A bill to legalize in certain cases and under certain conditions appropriations made by board of county commissioners, to aid in building railroads previous to the 12th of May, 1869, and when the appropriations were made without the authority of law, and declaring an emergency."

Also, I am directed by the Senate to inform the House, that the Senate has passed the following joint resolution of the House, to-wit:

House Joint Resolution No. 11, entitled, "A Joint Resolution directing a settlement with the State Printer."

Mr. Smith introduced House bill No. 384—an act to repeal section two hundred and twenty-four of an act entitled, "An

act to revise simplyfy and abridge the rules, practice, pleadings and forms in civil cases in the courts of the State, to abolish district forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852, and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Tingley introduced House bill No. 385—an act to amend the fifty-first section of an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Butts introduced House bill No. 386—an act to punish interference with contracts for labor.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Mr. Spellman introduced House bill No. 387—an act to amend section thirteen, of an act entitled, "An act authorizing the construction of plank, Macadamized and gravel roads," approved May 12, 1852.

Which bill was read a first time, and referred to the Committee on Corporations.

Mr. Butterworth offered the following resolution :

Resolved, That the Joint Standing Committee on the Public Library are hereby instructed to inquire into and examine the condition of the Public Library of the State, its book, paper and stationery accounts, and report by bill or otherwise.

Which resolution was adopted.

Mr. Riggs introduced House bill No. 388—an act to amend an act entitled "An act granting to the citizens of the town of Evansville a city charter," approved February 4, 1848.

Which bill was read a first time and referred to the Committee on Cities and Towns.

An act to amend the fourth, fifth, twenty-fourth, twenty-sixth, thirty-fifth, forty-third and fifty-eighth sections of an act, entitled "An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved Jan. 27, 1847.

Mr. Riggs introduced House bill No. 389.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Odle presented petitions from sundry citizens of Warren county on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Odle presented a petition from sundry citizens of Warren county on the subject of taxes.

Which was referred to the Committee on Ways and Means.

Mr. Walker introduced House bill No. 390—an act to amend the 447th section of an act, entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity."

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Walker presented a petition of sundry citizens of Wayne county on the subject of the divorce law.

Which was referred to the Committee on the Judiciary.

Mr. Baxter presented a petition of sundry citizens of Wayne county on the subject of temperance.

Which was referred to the Committee on Temperance.

On motion by Mr. Blocher, the House adjourned until to-morrow morning at 8 o'clock, a. m.

This journal was read in the hearing of the committee, and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

JANUARY 24, 1873, 8 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read and approved.

On motion by Mr. Crumpacker, the House adjourned until Monday next at 2 o'clock p. m.

W. K. EDWARDS, Speaker.

MONDAY AFTERNOON.

JANUARY 27, 2 O'CLOCK.

The House met pursuant to adjournment with the Speaker in the chair.

The journal of Friday was read and approved.

The following message was received from the Senate, by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 297, entitled a bill supplemental to "An act to authorize aid to the construction of railroads by counties and townships taking stock in, and making donations to rail-

road companies," approved May 12, 1869, with the accompanying engrossed amendments.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Joint Resolution, to-wit:

Engrossed Senate Joint Resolution No. 6—a Joint Resolution in relation to certain law books therein mentioned.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying amendments, the following bill, to-wit:

Engrossed House bill No. 27, entitled "An act concerning interest on judgments.

Also, Engrossed Senate bill, No. 23, entitled "A bill to authorize the county commissioners of the several counties of this State to appropriate money to aid in putting or keeping in repair any canal running in through or along any such county.

And the same are herewith transmitted to the House of Representatives.

Mr. Cobb, from the Committee on Claims, submitted the following report:

Mr. Speaker:

Your Committee on Claims, to whom was referred House bill No 386, entitled "An act regulating legislative practice as to the allowance of claims against the State of Indiana," have had the same under consideration, and direct me to report the same back with a recommendation that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

Your Committee on Rights and Privileges, to whom was referred House bill No. 323, entitled "An act providing for the pay-

ment to the township trustees of all moneys which shall have been collected from a township for specific purposes, and providing penalties for the violation of the provisions of this act," have had the same under consideration, and recommend the following amendments, and when so amended your committee recommend that the bill do pass:

Amend at line seven, section one, by striking out the words "by reason of a levy made by the trustees, of such township or."

Amend at line nine, section one, by striking out the words "or action." Amend at line tweive, section one, by striking out the words "or other authority." Amend at line thirteen, section one, by inserting after the words "any levy," the words "to aid any public work or improvements." Amend at line two, section two, by inserting after the word "failing," the words "or refusing." Amend section two, by striking out the words "and shall also be imprisoned in the county jail for a period of not less than three months, nor more than six months.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 173, entitled, "An act to protect the citizens of Indiana from empericism etc., have had the same under consideration, and recommend that it lie on the table.

Which was concurred in, and the bill laid on the table.

The special order being the consideration of the Senate Resolution in relation to the employing of two official reporters, one for the Senate, and one for the House.

On motion, the same was postponed until to-morrow at 2 o'clock p. m.

Mr. Shirley, from the Committee on Corporations, submitted the following report:

Mr. Speaker:

The Committee on Corporations, have had under consideration House bill No. 288—an act, supplemental to an act, authorizing the construction of plank, Macadamized and gravel roads, approved May 12, 1852, and have directed me, to report the same back to the House with the recommendation, that the same be passed.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Woodard, chairman of the select committee to whom was referred the subject of the investigation of the needs, etc., of the office of Secretary of State, submitted the following report and bill:

Mr. Speaker:

The select committee appropriated by resolution of the Senate, acting in company with a like committee of the House, have made investigation of the condition and needs of the office of Secretary of State, and find that the reports of the Secretaries in past years, and especially the report of the Secretary just retired, does not too strongly state the neglected condition of public records, files and duties therein. We, too, strongly urge the necessity of reorganization. Every year of further delay will result in the loss and damage of public papers, many of great interest and value, and wholly irreparable. They find also that, either through defect of law prescribing duty, or neglect of duty in performing what was prescribed, there is important clerical work required to be done, for which no provision is now made. Thousands of deeds, patents, charters, and other papers, involving the original titles and rights in millions of property of the people of the State, are practically inaccessible for want of indexes and from other defects which ought to be remedied. They find that by legislation of the General Assembly, there is a constant accumulation of diversified duties in this office, many of which duties are imposed to make this a check on waste or wrong in other departments, but yet which are practically inoperative for want of records and system. Thus most of the extravagance and fraud alleged in regard to public printing could be prevented or detected, if proper records

were required to be kept and all orders passed through this office. They also find that while the General Assembly has been constantly enlarging the duties of the Secretaries, it has made no provision for any increase of clerical help, nor any increase of compensation. Indeed, by cutting off a large part of the fees formerly allowed it has been stripped of a fair compensation.

But without pursuing the subject into details, and referring Senators to the message of the Governor and reports of the Secretary, and after a half hour's personal inspection of the office, they submit a bill, carefully digested and properly guarded, to remedying the evils mentioned, asking for it an immediate and generous attention and an early passage, your committee have such confidence in the integrity of the present Secretary, as well as in the soundness of his judgment, that they would have intrusted him with a larger discretion, but that he did not desire it. We, therefore, submit this bill with a confident belief that it ought and will meet the approval of this General Assembly.

H. CLAY GOODING, Chairman.
JOHN E. WOODARD,
Chairman House Committee.

House bill No. 391, introduced by Mr. Woodard, chairman of said select committee, and by direction of the same—" An act further to prescribe the duties of the Secretary of State and to provide for the necessary arrangements, clerk and expenses of his office.

Which bill was read a first time.

The Speaker announced that he had signed Enrolled House act No. 301. Also, Enrolled House joint resolution No. 11. Also, Enrolled House act No. 302.

Mr. Gregory introduced House bill No. 392—an act to amend section seven of an act, entitled " An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlement, and declaring an emergency."

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Gregory introduced House bill No. 393—an act to amend section five of an act, entitled "An act to discourage the keeping of useless and sheep-killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others," approved March 2, 1865, and also repealing an act to license dogs, approved March 11, 1861, and providing that nothing in this act shall be so construed as to conflict with the provisions of an act entitled, an act for the protection of sheep, approved June 13, 1852, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Agriculture.

Mr. Gregory presented a petition from sundry citizens of White county on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture, to whom was referred House bill No. 57, being a bill providing for restraining of farm animals from running at large, have had the same under consideration, and respectfully beg leave to return the same and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Thayer introduced House bill No. 394—an act to prevent fraud in the purchase of stationery for the use of counties, repealing all laws in conflict therewith and declaring an emergency.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Teeter introduced House bill No. 395—an act relating to service of summons and publication of notice of civil actions.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Peed introduced House bill No. 396—an act to amend section forty-nine of an act entitled, "An act to provide for the opening, vacating and change of highways," approved June 17, 1852.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Shirley introduced House bill No. 397—an act relating to fencing railroads, and maintaining cattle guards thereon and prescribing penalties.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Woodard presented a petition from sundry citizens of Park county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Schmuck introduced House bill No. 398—an act amending an act entitled, "An act to provide for the relocation of county seats," etc., approved June 4, 1861.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Crumpacker offered the following resolution:

Resolved, That the Committee on the Judiciary is hereby instructed to inquire into the constitutional power of the Legislature to fix by law the rates of fare which shall be collected by the railroads now being operated in this State, or passing into or through the same, and in their report to discriminate between those companies organized under the general statute for the incorporation of railroad companies, and the acts supplemental and amendatory thereof, and those organized under special acts and report by bill or otherwise, and at an early day, and to enable said committee to fully inquire into said matters, the Secretary of State is requested to furnish the said committee a statement showing the name of each railroad corporation organized in this State, and the date of its organization, also showing the consolidation of all railroad companies and the date of such consolidation, and other informa-

tion connected with the subject matter of this resolution that said committee may desire for their information.

Which resolution was adopted.

Mr. Willson, of Ripley, introduced House bill No. 399—a bill for an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts, and providing for the election of judges and prosecuting attor eys in certain cases.

Which bill was read a first time, and on motion by Mr. Willson, of Ripley, laid on the table and five hundred copies ordered to be printed for the use of the members of the House.

The following message was received from the Senate by the Secretary thereof.

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled Act of the Senate No. 159—entitled "An act to provide for the submission to the qualified electors of this State for their ratification or rejection, a proposed amendment to the constitution of Indiana therein mentioned, and declaring an emergency."

Also, Enrolled Senate Joint Resolution No. 5—entitled "A joint resolution to make temporary provisions for the public printing.

The Speaker announced that he had signed Enrolled Senate Act No. 159.

Also, Enrolled Senate Joint Resolution No. 5.

The Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills would respectfully report

that they have examined and compared Enrolled Senate Act No. 159—entitled "An act to provide for the submission to the qualified voters of the State for their ratification or rejection, a proposed amendment to the constitution of Indiana, and declaring an emergency," with the engrossed bill and find it correctly enrolled.

The Joint Committee on Enrolled Bills, submitted the following report :

Mr. Speaker :

The Joint Committee on Enrolled Bills, respectfully report that they have examined and compared Senate Enrolled Joint Resolution No. 5—entitled "A joint resolution to make temporary provisions for the public printing," and find the same correctly enrolled.

Mr. Butts introduced House bill No. 400—an act supplementary to an act, approved May 12, 1859, entitled "An act to authorize aid to the construction of railroads by counties and townships, taking stock in and making donations to railroad companies."

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Butts introduced House bill No. 401—an act to provide for commissioners for an asylum for inebriates and defining their duties.

Which bill was read a first time and referred to the Committee on Reformatory Institutions.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report :

Mr. Speaker :

The Committee on Ways and Means, to whom was referred House bill No 372, have had the same under consideration, and have directed me to report the same back, with the recommendation, that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Senate bill No. 24 was taken up—an act to amend section thirty, of an act entitled, "An act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto," approved December 20, 1865, and declaring an emergency.

Which bill was read a first time and referred to the Committee on County and Township Business.

Senate bill No. 29 was taken up—a bill to provide for the enlargement of the State House grounds.

Which bill was read a first time and referred to the Committee on Public Buildings.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

I am directed by his Excellency the Governor, to respectfully inform the House, that he has approved and signed enrolled act No. 293, entitled, an act to repeal, an act entitled, "An act fixing the time and mode of electing State Printer, defining his duties, fixing compensation and repealing all laws coming in conflict with this act," passed March, 1859, and to abolish the office of State Printer, and that he has caused said act to be deposited in the office of the Secretary of the State.

SAMUEL R. DOWNEY,
Private Secretary.

Senate bill No. 82 was taken up—a bill to amend section nine of an act entitled, "An act to provide for electing electors for President and Vice President of the United States," approved May 20, 1852, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Federal Relations.

Senate bill No. 122 was taken up—an act to legalize in certain cases and under certain conditions, appropriations made by boards of county commissioners to aid in building railroads previous to the 12th day of May, 1869, and where the appropriations were made without the authority of law and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate Joint Resolution No. 4 was taken up—a joint resolution authorizing the sale of certain personal property therein named.

Which resolution was read, and, on motion by Mr. Richardson, passed over informally.

On motion by Mr. Kimball, House bill No. 306 was taken from the table and referred to the Committee on the Judiciary.

The Speaker announced the following named persons as a committee on the part of the House in accordance with a concurrent resolution in relation to the constitutional amendments :

Messrs. Woollen, Walker, Willson, of Ripley, Cauthorn and Wesner.

On motion by Mr. Gronendyke, the House adjourned until tomorrow morning at 9:30 o'clock.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

TUESDAY MORNING.

JANUARY 28, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. C. H. Raymond, of Indianapolis.

The journal of yesterday was read in part, when, on motion by Mr. Woodard, the further reading of the same was dispensed with.

Mr. King, Chairman of the Committee on Railroads, submitted the following report :

MR. SPEAKER:

The Committee on Railroads, to whom was referred a concurrent resolution of the Senate, with reference to the Buffalo and Mississippi Railroad Company, have had the same under consideration, and directed me to report the same back to the House with the recommendation that the House adopt the concurrent resolution.

Which report was concurred in, and the concurrent resolution adopted.

Mr. Furnas, Chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House bill No. 126, being a bill providing against farm animals running at large, have had the same under consideration, and hereby return the same and respectfully ask that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Furnas, Chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House bill No. 48, being a bill providing against farm animals running at large, have had the same under consideration, and hereby return the same and respectfully recommend that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Clark presented a memorial of Western Yearly Meeting of Friends, held at Plainfield, Indiana, on the subject of temperance.

Which memorial was referred to the Committee on Temperance.

Mr. Clark introduced House bill No. 402—an act to amend sections one, two, three and five, and to repeal sections four and six of an act defining felonies and prescribing punishment therefor, approved June 10, 1852; and to amend section four of an act defining treason and prescribing the punishment therefor, approved May 11, 1861.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Kirkpatrick presented a petition from one hundred and sixty-eight voters of Howard county, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Furnas introduced House bill No. 403—an act prohibiting plank, Macadamized or gravel road companies from taking toll from any person going to church or Sunday-school on the Sabbath day, commonly called Sunday, over any such road, and providing a penalty for a violation of the same.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Wynn presented a petition from various citizens of Jennings and Bartholemew counties on the subject of temperance.

Which was referred to the Committee on Temperance.

On motion by Mr. Woollen, House bill No. 333 was taken from the table and placed on the files.

Whereupon Mr. Woollen offered the following amendments to said bill:

I ask the unanimous consent of the House to amend the first section of the bill by striking out the words between the word "law," in the second line, and insert the word "in." Amend the second section by striking out the word between the word "shall," in the second line, and insert the following, as provided in the first section.

Which amendments were adopted.

Mr. King introduced House bill No. 404—an act authorizing cemetery companies to own, purchase or construct horse railways, or to hold and own stock in horse railway companies.

Which bill was read a first time, and referred to the Committee on Rights and Privileges.

Mr. King introduced House bill No. 405—an act supplementary to an act to establish Superior Courts, defining their jurisdiction

and providing for the election and compensation of the judges thereof, approved February 15, 1871.

Which bill was read a first time and referred to the Committee on the Judiciary.

On motion by Mr. Kimball, House bill No. 350 was taken from the table and referred to the Committee on Insurance.

Mr. Peed offered the following resolution:

Resolved, That the Committee on Temperance, to whom was referred House bill No. 110—being an act to prohibit persons under the age of twenty-one years from buying spirituous, vinous, malt and other intoxicating liquors, etc., and they are hereby directed to report the same to the House with or without recommendation.

Mr. Rumsey moved to lay the resolution on the table.

The question being, shall the resolution be laid on the table?

Whereupon Messrs. Peed and Shirley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Cobb, Eward, Furnas, Gifford, Given, Glasgow, Goudie, Hedrick, Hollingsworth, Isenhauer, Johnson, King, Kirkpatrick, Mellett, Odle, Reno, Rumsey, Satterwhite, Spellman, Thayer, Tingley, Troutman, Wilson (of Blackford), Wood and Wynn—28.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Blocher, Clark, Claypool, Cline, Coffman, Cole. Crumpacker, Eaton, Edwards (of Lawrence,) Ellsworth, Goble, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hoyer, Jones, Kimball, Lenfesty, Martin, McConnell, McKinney, Miller, North, Peed, Pfrimmer, Reeves, Richardson, Riggs, Schmuck, Shirley, Smith, Stanley, Teeter, Whitworth, Willson (of Ripley,) Woollen and and Mr. Speaker—42.

So the motion did not prevail.

The resoluion was then adopted.

Mr. Baker introduced House bill No. 406—an act supplemental to an act entilted an act concerning enclosures, trespassing animals and partition fences, approved June 4, 1852.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Hatch introduced House bill No. 407—an act to provide a site, system of government, and plans for erection of a State Inebriate Asylum, for the control, cure, and reclamation of inebriates.

Which bill was read a first time and referred to the Committee on Benevolent and Scientific Institutions.

Mr. Coffman presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Cole presented a petition from the Mayor and Common Council of the city of Lafayette, requesting the passage of a bill now pending before the Legislature, which bill provides for an annual appropriation not exceeding $10,000 to assist in maintaining the Wabash and Erie Canal.

Which petition was laid on the table.

Mr. Walker introduced House bill No. 408—an act to amend section 311 of an act entiled an act to revise, simplify, and abridge, the rules, practice and pleadings and forms in civil cases in the counties of this State, to abolish distinct forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Walker presented a petition from sundry citizens of Wayne county, asking the completion of the Indiana Reformatory Institute for Women and Girls, etc.

Which was referred to the Committee on Reformatory Institutions.

Mr. Butts, chairman of the Committee on Temperance, submitted the following report :

MR. SPEAKER:

The committee, to whom was referred House bill No. 337, entitled, " An act to regulate the sale of intoxicating liquors to provide against the evils, resulting from any such sale, to furnish remedies for damages suffered by any person in consequence of such sale, prescribing penalties, to repeal all laws, contravening the provisions of this act, for the purpose of correcting its phraseology, have had the same under consideration and recommend the following alterations, to-wit :

Strike out the words "ward, town or" in line two, section four ; and insert after the word "Township," in second line, section four, the words "and the whole number of votes cast for councilmen or trustee in any ward or district at the last preceeding municipal election in any city or town," and when amended, the committee instructed me to report the bill back to the House, and recommend that it pass.

Which report was concurred in, the amendments adopted, and the bill read a second time.

Whereupon, Mr. Glasgow offered the following amendment :

Strike out all that part of section two, between the word "Indiana" in line seven, and the word "and" in the eighth line.

Which amendment was adopted, and the bill as amended, ordered to be engrossed.

Mr. McConnell introduced House bill No. 409—an act regulating the fees of officers, and repealing former acts in relation thereto.

Which bill was read a first time, and referred to the Committee on Fees and Salaries.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate, to inform the

House of Representatives, that he has signed the following enrolled acts of the House of Representatives, to-wit:

Enrolled House act No. 302—an act fixing the time of holding the Common Pleas Court in the county of Bartholomew.

Enrolled House act No. 301—an act to change the time of holding the Circuit Court of Bartholomew county at the summer term.

Enrolled Joint Resolution of the House No. 11—a joint resolution directing a settlement with the State Printer.

And the same has been delivered to the Joint Committee on Enrolled Bills in compliance with section 4 of the Joint Rules of both Houses.

The Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

The Committee on Enrolled Bills would respectfully report that they have presented this day, to-wit, January 28, 1873, to the Governor, for his signature, the following enrolled act, to-wit:

Enrolled Joint Resolution of the House of Representatives No. 11, a joint resolution directing a settlement with the State Printer.

Enrolled act No. 301, House of Representatives, an act to change the time of holding the Circuit Court of Bartholomew county at the summer term.

Enrolled act No. 302, House of Representatives, an act fixing the time of holding the Common Pleas Court in the county of Bartholomew.

Engrossed House bill No. 122, was taken up and put upon its passage.

Mr. Ogden offered the following amendment:

Amend by striking out "thirty thousand inhabitants," and insert in lieu thereof "cities and incorporated towns."

Which, on motion by Mr. Walker, was laid on the table.

Mr. Mellett offered the following amendment:

Resolved, That the bill be re-committed with the instructions to amend so as to place the assessment of all incorporated cities and towns for municipal purposes under the control of the county appraiser of real estate, and after his election under the control of the county assessor, and to provide that the assessment furnished the auditor for county and State purposes shall be used by incorporated cities for taxation for municipal purposes.

Mr. Walker moved to lay the bill and amendment on the table.

Which motion prevailed, and the bill and amendment were laid on the table.

The following message was received from the Governor, by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to transmit a communication from his Excellency submitting for consideration an act of Congress authorizing the erection of a public building at Evansville, Indiana, and his recommendation thereto.

SAMUEL R. DOWNEY,
Private Secretary.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, January 28th, 1873.

Gentlemen of the House of Representatives:

I submit a copy of the Act of Congress, entitled "An act to authorize the erection of a public building at Evansville, Indiana," approved January 16, 1873, and call your attention to the proviso, making it a condition of the expenditure of the appropriation thereby made that this State shall duly release and relinquish its rights to tax the site and the property of the United States that may be obtained and constructed by the use of the appropriation, and also that the State shall release its jurisdiction over the same. I recommend that the required release and relinquishment be made.

THOMAS A. HENDRICKS,
Governor.

An act to authorize the erection of a public building at Evansville, Indiana:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Secretary of the Treasury be, and he is hereby authorized and directed to cause to be erected at Evansville, Indiana, a suitable brick building for the accommodation of the Custom House, Post Office, United States Courts, and other offices of the United States, on plans to be determined by him, and at a cost, including the cost of the site thereof, of not exceeding two hundred thousand dollars; and such site shall be of such extent as to leave the building independent and unexposed to fire from any and all adjoining buildings: *Provided*, that no appropriations for this purpose shall be used or expended until a valid title to said site shall be vested in the United States until the State of Indiana shall duly release and relinquish its right to tax said site, and the property of the United States that may be and remain thereon and its jurisdiction over the same, approved January 16, 1873.

Engrossed House bill No. 330 was taken up.

Mr. Woollen offered the following amendment: Amend by striking out the words, "provided that the State Librarian shall furnish ink for members to use while in their seats."

Which was adopted by unanimous consent.

The bill as amended was then read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt,

Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—83.

Messrs. Heller and Kirkpatrick voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act of the Senate No. 159, entitled "An act to provide for the submission to the qualified electors of this State, for their ratification or rejection, a proposed amendment to the Constitution of Indiana, therein mentioned, and declaring an emergency."

Also, Enrolled Joint Resolution No. 5—a joint resolution to make temporary provision for public printing; and the same has been delivered to the Joint Committee on Enrolled Bills.

Engrossed House bill No. 208 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Blocher, Branham, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Pfrimmer, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shir-

ley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Troutman, Wesner, Whitworth, Willard, Willson (of Ripley), Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—74.

Mr. Broaddus voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 245 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Blocher, Branham, Butterworth, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Gifford, Eward, Glasgow, Goble, Hardesty, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shutt, Stanley, Spellman, Teeter, Thayer, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—61.

Those who voted in the negative were, Messrs. Barker, Barrett, Broaddus, Coffman, Furnas, Given, Glazebrook, Goudie, Hedrick, Heller, Lenfesty, Reno, Shirley, Smith, Tingley and Willard—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker :

The Joint Committee on Enrolled Bills would respectfully report that they have this day presented to the Governor, for his signature, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 159, entitled "An act to provide for the submission to the qualified electors of this State, for their ratification or rejection, a proposed amendment to the Constitution of Indiana therein mentioned, and declaring an emergency."

Also enrolled Joint Resolution of the Senate No. 5, entitled "A joint resolution to make temporary provision for the public printing."

Engrossed House bill No. 246 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baxter, Branham, Cauthorn, Clark, Cobb, Crumpacker, Durham, Eaton, Glasgow, Gregory, Hardesty, Henderson, Hollingsworth, Johnson, Martin, McConnell, Mellett, North, Offut, Pfrimmer, Richardson, Satterwhite, Spellman, Stanley, Teeter, Thayer, Tulley, Walker, Whitworth, Willson (of Ripley), Woodard, Woollen and Mr. Speaker—33.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Broaddus, Butterworth, Butts, Claypool, Coffman, Cole, Cowgill, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Kimball, King, Kirkpatrick, Lenfesty, McKinney, Miller, Odle, Ogden, Peed, Reno, Reeves, Riggs, Rumsey, Schmuck, Shirley, Shutt, Smith, Tingley, Troutman, Willard, Wilson (of Blackford), Wood and Mr. Wynn—45.

So the bill did not pass.

On motion, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

SPECIAL ORDER.

The special order being the consideration of the Senate concurrent resolution in relation to the employment of two official reporters, one for the Senate and one for the House.

The question being, shall the House concur in the resolution?

Whereupon Messrs. Walker and Hardesty demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Branham, Butterworth, Cobb, Durham, Edwards (of Lawrence), Gifford, Givan, Glasgow, Glazebrook, Goble, Hatch, Heller, Henderson, Isenhauer, Lenfesty, Peed, Prentiss, Rumsey, Satterwhite, Shutt, Smith, Thayer, Thompson (of Elkhart), Troutman, Wesner, Whitworth, Willard, Willson (of Ripley), and Wood—30.

Those who voted in the negative were, Messrs. Barker, Baxter, Billingsley, Blocher, Bowser, Butts, Clark, Cline, Crumpacker, Ellsworth, Eward, Furnas, Gronendyke, Hardesty, Hedrick, Hollingsworth, Hoyer, Jones, Kimball, King, Kirkpatrick, Martin, McKinney, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Reno, Riggs, Schmuck, Shirley, Spellman, Stanley, Tingley, Tulley, Walker, Wilson (of Blackford), Woollen, Wynn and Mr. Speaker—42.

So the Senate concurrent resolution was not concurred in.

Mr. Cowgill, chairman of the Committee on Mileage and Accounts, submitted the following report:

MR. SPEAKER:

Your Committee on Mileage and Per Diem, to whom was referred the list of employees of the House, under the act providing for their appointment and compensation, make the following supplemental report of such employees, and the per diem to which each is entitled:

R. C. Wilkinson, as one of the three clerks of committees, as

provided for by said act, $5.00 per diem; Charles S. Woodard, Janitor of committee rooms, $5.00 per diem.

Which report was concurred in.

Engrossed House bill No. 314 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Bowser, Branham, Butterworth, Butts, Clark, Cline, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McKinney, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Stanley, Spellman, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—64.

Those who voted in the negative were, Messrs. Anderson, Blocher, Heller, Wesner and Willard—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 146 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudy, Gronendyke, Hatch, Heller, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, King, Kirkpatrick, Lenfesty, Martin, McKinney, Mellett, North,

Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Strange, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—70.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 332 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Bowser, Branham, Butterworth, Butts, Clark, Cline, Cobb, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—68.

Those who voted in the negative were, Messrs. Barker, Blocher, Claypool, Crumpacker, Eaton, McKinney and Pfrimmer—7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate, by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following joint resolution, o-wit:

Engrossed Senate Joint Resolution No. 7, entitled, " A joint resolution concerning public printing, and the same is herewith transmitted to the House of Representatives for its action thereon.

Engrossed House bill No. 297 was taken up.

Engrossed amendments of the Senate to House bill No. 297: Amend the first section by adding after the word "located" in the fourteenth line, the following words, "in the county or township making the donation or taking the stock."

Amend the second section of the bill, by striking out all after the word "collection" in the seventh line and insert the following: "the auditor and treasurer of such county shall suspend the collection of such tax, but the same shall be carried forward on the duplicate without being returned delinquent, until such railroad is permanently located in said county or township, and has expended an amount of money in the actual construction of said railroad, in said county or township equal to the amount of money to be donated to or stock to be taken in said railroad company by said county or township, and if said railroad company shall not within three years after said tax has been placed upon the duplicate of the proper county for collection, have expended in the actual construction of said railroad in said county or township, an amount of money equal to the amount of money to be donated to or stock to be taken in said railroad company by said county or township, the board of commisioners may in their discretion make an order annulling or cancelling such subscriptions of stock or donations of money upon the application of twenty-five free-holders of the county, through which said railroad shall pass, upon said free-holders having given thirty days public notice immediately preceding the term of the commissioners court at which said application is made. *Provided* further, that when ever it is shown to the satisfaction of the board of commissioners, that the amount of work done by any railroad company in any county or township, taking stock in, or donating money to such railroad company, is equal to the stock

taken, or donation made, it shall be the duty of the board of commissioners to order said tax to be collected at once, as though the same had never been suspended."

Which amendments were read and concurred in.

Engrossed House bill No. 333 was taken up, considered as engrossed and read a third time.

Whereupon Mr. Smith moved to re-commit with the following amendments: To re-commit with instruction to add the following amendment: *Provided*, That all actions for divorces now pending, which have been commenced in good faith by *bona fide* residents of this State, shall be saved from the operation of this act and tried, and decided according to the law as it stood when they were commenced.

Mr. Walker moved to lay the motion to recommit on the table.

Which motion prevailed.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Branham, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Durham, Edwards (of Lawrence), Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke Hardesty, Hatch, Hedrick, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, North, Odle, Ogden, Reeves, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Woollen, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Blocher, Bowser, Crumpacker, Eaton, Ellsworth, Eward, Goble, Heller, Henderson, Isenhauer, Martin, Miller, Peed, Pfrimmer, Prentiss, Reno, Shutt, Smith, Tulley, Willard, Willson (of Ripley) and Wood—21.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Walker offered the following joint resolution No. 12: joint resolution in relation to giving notice to the electors of the State of the submission to the same, the proposed amendment to the Constitution in relation to the Wabash and Erie canal debt.

Which resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Billingsley, Blocher, Bowser, Branham, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

House bill No. 360 was taken up, read a second time and ordered to be engrossed.

On motion of Mr. Gifford, the House adjourned until 9:30 tomorrow morning.

This journal was read in hearing of the committee, and found to be correct.

W. K. EDWARDS, Speaker.

WEDNESDAY MORNING.

JANUARY 29, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. J. H. Bayless of Roberts Park church, of Indianapolis.

The journal of yesterday was read in part, when, on motion of Mr. Crumpacker, the further reading of the same was dispensed with.

Mr. Woollen introduced House bill No. 410—an act to amend an act, entitled "An act to authorize township trustees and trustees of incorporated towns and the common council of cities to levy a tax for school purposes," approved March 9, 1867, and extending the assessment and collection of the same to the property and polls of persons transferred for school purposes to the township, town or city, and requiring the officers to levy the same to maintain their schools at least six months in each year, and declaring an emergency.

Which bill was read a first time

Mr. Woollen moved, that the constitutional rule be suspended, and the bill read a second time by title.

The question being, shall the constitutional rule be suspended ?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Branham, Brett, Butterworth, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Goble, Goudie, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Baker and Tingley—2.

So the constitutional rule was suspended, and the bill read a second time by its title.

The Speaker announced, that he had signed enrolled House act No. 297.

Senate Joint Resolution No. 7 was taken up—joint resolution concerning public printing.

Which Senate Joint Resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker Barrett, Billingsley, Blocher, Branham, Brett, Butterworth, Clark, Cline, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Goble, Goudie, Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—74.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was recommitted prin-

ted House bill No. 55, having had the same under consideration, report the same back with the following amendments, to-wit:

Add to section three the words: "*Provided*, That city schools having a Superintendent employed by their board, may at the request of the said board be exempt from the General Superintendent authorized in this section."

Erase all of line four, section five, that follows the word "education," and add to the same "which certificate should be issued upon such standard of qualifications as said board may in the exercise of a sound discretion from time to time provide therefor."

In line eleven of section eight, after "text book," insert "except in cities."

Erase all of section twelve, which occurs after "general election" in line five, and the whole of "section thirteen," and make the number of the remaining sections correspond to this change, and when so amended, the committee recommend the passage of the bill.

Which report was concurred in, the amendments adopted and, on motion of Mr. Branham, said bill was made a special order for 2 o'clock this p. m.

Mr. Brett, from the Joint Committee on Public Buildings, submitted the following report:

Mr. Speaker:

The Committee on Public Buildings, to whom was referred Senate bill No. 29, entitled, "A bill to provide for the enlargement of the State House grounds, have had the same under consideration, and report the same back to the House and recommend its passage.

Which report was concurred in, the bill read a second time, and passed to a third reading.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate

bill No. 168, entitled, a bill supplemental to an act, entitled, "An act in relation to the organization of the Houses of the General Assembly, prescribing the number of officers and employees of each House and regulating their duties, having had the same under consideration, have directed me to report the said bill back to the House with the recommendation, that the same lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 381, entitled, "An act regulating the *per diem* of members of the General Assembly, having had the same under consideration, have directed me to report the said bill back to the House with the recommendation, that it be indefinitely postponed."

The question being, shall the report be concurred in, and the bill indefinitely postponed?

Whereupon, Messrs. Reno and Furnas demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Blocher, Bowser, Brett, Broaddus, Cline, Cobb, Cole, Cowgill, Dial, Edwards (of Lawrence), Ellsworth, Gifford, Glazebrook, Hardesty, Heller, Hoyer, Isenhauer, Johnson, Lenfesty, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Riggs, Schmuck, Smith, Stanley, Walker, Wesner, Willard, Willson (of Ripley), Wood, Woodard, Woollen and Wynn—41.

Those who voted in the negative were, Messrs. Barker, Billingsley, Branham, Butterworth, Clark, Claypool, Coffman, Crumpacker, Durham, Eaton, Eward, Furnas, Givan, Glasgow, Goble, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Jones, King, Kirkpatrick, Martin, McConnell, Peed, Pfrimmer, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Wilson (of Blackford) and Mr. Speaker—48.

So the report was not concurred in, and the bill was not indefinitely postponed.

Said bill was then read a second time.

Whereupon, Mr. Mellett offered the following amendment: Insert after "obtains leave of absence, except on account of sickness of himself or family."

Which amendment was adopted.

Mr. Woollen offered the following amendment: I move to amend by striking out the preamble.

Which amendment was adopted.

Mr. Shirley offered the following amendment:

Moved to strike out "eight" and insert "four" dollars per day while absent.

On motion of Mr. Branham, the bill and all amendments were laid on the table.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 326, entitled "An act to amend section 38 of an act entitled an act providing for the election and qualifications of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," have considered said bill, and herewith return the same, with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 408—an act to amend section 311 of the practice act—

have had the same under consideration, and direct me to report it back to the House, with the recommendation that it pass.

Which report was concurred in, and the bill read a second time, and ordered to be engrossed.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 390, entitled "An act to amend the 447th section of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," have had the same under consideration, and have directed me to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor, I have the honor to transmit a communication, and accompanying documents relative to the culture and increase of fish in the great lakes.

SAMUEL R. DOWNEY,
Private Secretary.

Executive Department,
Indianapolis, January 29th, 1873.

Gentlemen of the House of Representatives:

I submit for your consideration a communication to myself, from James W. Milner, Esq., Deputy United States Commissioner of Fish and Fisheries, in relation to measures by him deemed im-

portant for the increase of fish in the lakes upon the borders of this State.

And I submit also a copy of a communication upon the same subject, received from his Excellency, John J. Bagley, Governor of the State of Michigan, and a copy of a bill relative to fish culture, proposed in the House of Representatives of that State, to which I respectfully ask your attention.

THOMAS A. HENDRICKS,
Governor.

UNITED STATES COMMISSION,
FISH AND FISHERIES,
OFFICIAL BUSINESS, LANSING, MICH., Jan. 20, 1873.

To his Excellency the Governor, of the State of Indiana :

There is a movement at Lansing, Michigan, very favorably received by the Governor of the State and the Legislature, and commending the earnest attention of the Committee on Fisheries in favor of restocking the lakes with white fish.

The method of artificial propagation so successfully employed by the Fish Commissioners of the Atlantic States increasing the number of shad, has been applied on quite a large scale by a fish culturist in Michigan with very favorable results, and the State is expected to make an appropriation early this session to be expended for their propagation.

There is a feeling that if the work on the upper lakes be managed by the State of Michigan, that other States bordering on the same waters should take similar action, as the expenditure in this direction by any one State must, to a considerable extent, benefit the others. Anticipating favorable action on the part of other States, there will be a clause in the bill presented to the Legislature, referring the authority for arranging concurrent action with other States to the Governor of Michigan.

The fisheries of the lakes are an industrial interest of considerable commercial value—the sales of the nine largest markets of the lakes amounting to over two million of dollars. The fact the food fishes are decreasing is very apparent, and a small outlay of money in the direction proposed will not only arrest the decrease, but restore them to their original numbers and even more.

It was suggested to me, as representing the General Govern-

ment in this interest, that I should solicit the attention of other States to this matter, and it is hoped the subject may excite your favorable interest.

Yours respectfully,

JAMES W. MILNER,

Deputy U. S. Commissioner of Fish and Fisheries,
Smithsonian Institute, Washington, D. C.

STATE OF MICHIGAN, EXECUTIVE OFFICE,
LANSING, January 21st, 1873.

Hon. Thomas A. Hendricks, Governor of Indiana:

DEAR SIR—I enclose herewith a copy of a proposed bill relative to fish culture. As your State borders are on our lakes, of course any expenditure of money by our people in placing fish in the great lakes, would benefit your people proportionately as much as it would ours, would it not be fair and proper that your Legislature should also take some favorable action on the subject.

Again, if all the States bordering on the lakes should act together, and in concert, the joint appropriation would accomplish much more than if expended separately. You will see, by the last section of the bill, that we have made provision for acting with other States, if they take any action on the subject. I write this rather unofficially, and more to show you our desire to co-operate with our neighbors, than for any other reason. I send a copy of this to the Governors of Illinois, Wisconsin and Ohio.

Respectfully yours,

JOHN J. BAGLEY.

A bill to establish a board of commissioners to increase the products of the fisheries and to make an appropriation therefor.

Mr. Willson, of Ripley, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 169, entitled, an act to amend section one, of an act entitled, " An act providing for the settlement of decedents estates prescribing the rights, liabilities and duties of officers connected

with the management thereof, and heirs thereto, and certain forms to be used in such settlement, approved July 17, 1852—have had the same under consideration and request me to report the same back to the House with the recommendation, that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 221, entitled, " An act to provide for the recording of certain leases of real estate therein mentioned, and prescribing penalties for the violation of the provisions of this act, have considered said bill and herewith return the same to the House with the recommendation, that it be indefinitely postponed."

Which report was concurred in, and the bill indefinitely postponed.

Mr. Woollen, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 186, entitled, an act to amend an act entitled, "An act declaring having carnal knowledge of an insane woman in certain cases to be a felony, and making accessories principals therein, and prescribing the puuishment therefor," have considered said bill and herewith return the same to the House with the recommendation, that the same be indefinitely postponed.

Which report was not concurred in, and the bill was not indefinitely postponed.

Said bill was then read a second time and ordered to be engrossed.

The Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed House bills Nos. 57, 327 and 355, have compared them with the original copies and find them in all things correctly engrossed.

Mr. Cobb, chairman of the Committee on Sinking Fund, submitted the following report:

Mr. Speaker:

Your Committee on Sinking Fund, to whom was referred House bill No. 354, have had the same under consideration, and report the same back with a recommendation, that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 267, entitled, a bill to amend an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms of actions at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," have had the same under consideration, and recommend its indefinite postponement for the reason, that no Legislation upon the subject is necessary.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 329, entitled, "An act to repeal section 47 of act defining felonies and prescribing punishment therefor," approved June 10, 1852, have had the same under consideration and recommend its indefinite postponement.

Which report was concurred in and the bill indefinitely postponed.

Mr. Pfrimmer, from the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 375, entitled, an act to amend section one of an act entitled, " An act to discourage the keeping of useless and sheep killing dogs, and providing penalties for the violation of any of the provisions of said act by officers and others, and also repealing an act to license dogs," approved March 11, 1861, and providing that nothing in this act shall be so construed, as to conflict with the provisions of an act entitled, " An act for the protection of sheep," approved June 15, 1852, have had the same under consideration and recommend, that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Shirley, from the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges of citizens, have had under consideration House bill No. 335—an act relative to estrays and articles adrift, and recommend the same be amended as follows:

In section one, line six, after the word " oath," insert "or affirmation;" and in section two, in line eight, after the word "oath," insert "or affirmation;" and in section six, at line ten, after the word "other," insert these words, "and trespass upon his enclosed lands;" and at line thirteen, after the word "breaking," insert these words, and "trespassing such person;" in section nine, strike out all of line " eight, nine and ten," and insert in place thereof these words, "one dollar for selling, and one dollar for notice;" in section eleven, at line three, strike out all of line three after the word "act" and strike out all of line four, and insert these words, "fifty cents each," and after said bill is so amended, they recommend its passage.

Which report was concurred in, the amendments adopted, the bill as amended, read a second time and ordered to be engrossed.

Mr. Thayer, chairman of the Committee on Commerce and Manufactures, submitted the following report:

MR. SPEAKER:

The Committee on Manufactures and Commerce, to whom was referred House bill No. 358, entitled, "An act concerning promissory notes, bills of exchange, bonds or other instruments in writing signed by any person who promises to pay money or acknowledges money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned and repealing all laws coming in conflict therewith, have had the same under consideration, and recommend that said bill be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House bill No. 359, have had the same under consideration and hereby return the same, and recommend, that it lie on the table, the provisions of this bill being anticipated by House bill No. 57, which provides against all farm animals running at large.

Which report was concurred in and the bill laid on the table.

Mr. Ogden, chairman of the Committee on Corporations, submitted the following report:

MR. SPEAKER:

Your Committee on Corporations, to whom was referred House bill No. 189, entitled, "An act to place directors and other officers of Macadamized and gravel road companies, organized under the laws of this State, wherever they may have become creditors of such corporations, on equal terms with other creditors in any and all suits for the collections of money due them, and to repeal all laws

in conflict therewith," have had the same under consideration and have directed me to report the same back, with the recommendation, that it pass, after inserting the following amendment: Amend section one, by inserting the word "heretofore" after the word "company," in line eleven. Amend the same section, by striking out the following words in the lines 14, 15 and 16, to-wit: "Or on account of debts contracted in the construction repair and maintainance of such roads, and in lieu thereof, insert the following, "and actually used in the original construction of such road." Amend section two, by striking out all after the word "law" in line twenty-five.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Barrett introduced House bill No. 411—an act to amend section forty-four of an act entitled, "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters, properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865.

Which bill was read a second time and referred to the Committee on Education.

Mr. Clark presented a memorial from the Western Yearly Meeting of Friends, on the subject of prison reform.

Which was referred to the Committee on Reformatory Institutions.

Mr. Furnas introduced House bill No. 412—an act to authorize the board of county commissioners to purchase and construct gravel, Macadamized and other improved roads, and making them free to travelers and declaring an emergency.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Kirkpatrick presented a petition from sundry citizens of Howard county, asking that fees of justices of the peace and con-

stables be made the same as clerk's and sheriff's of the several counties.

Which was referred to the Committee on County and Township Business.

On motion of Mr. Kirkpatrick, House bill No. 321 was taken from the table and referred to the Committee on County and Township Business.

Mr. Cobb introduced House bill No. 413—an act to change the time of holding the Circuit Court in Huntington county, Indiana.

Which bill was read a first time and laid on the table.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report and substituted bill:

Mr. Speaker:

Your Committee on Cities and Towns, to whom was referred House bill No. 334, relative to the taxation of lands in cities and incorporated towns, having lost the same, have instructed me to report the accompanying bill as a substitute therefor and recommend its passage.

House bill No. 414 being substituted in lieu of House bill No. 334—an act to repeal an act, entitled, "An act in relation to the taxation of lands in towns and cities," approved June 18, 1852.

Which bill was read a first time.

Mr. Mellett introduced House bill No. 415—an act to amend sections 23, 24, 26, 36, 37 and 43 of an act entitled, "An act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall excercise the same and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Which bill was read a first time and referred to the Committee on Cities and Towns.

On motion of Mr. Peed, House bill No. 292 was taken from the table and placed on the files.

Mr. Durham presented a petition signed by numerous citizens, on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Woollen presented a petition from sundry citizens on the subject of temperance.

Which was referred to the Committee on Temperance.

Mr. Ogden offered the following resolution:

WHEREAS, by the Constitution it is made the duty of the General Assembly to provide by law for the speedy publication of the decisions of the supreme court; and

WHEREAS, a large number of unpublished opinions have accumulated in the hands of the reporter, which ought to be published in pursuance of said constitutional requirement; therefore, be it

Resolved, That the Committee on the Judiciary be directed to inquire what Legislation is necessary, if any, to enable the reporter to speedily prepare for publication all of said unreported decisions, and report by bill or otherwise.

Which resolution was adopted.

Mr. Butterworth offered joint resolution No. 13—a joint resolution instructing our Representatives in Congress, to use their influence to secure the passage of a law, regulating the commerce between States, so as to compel railroad companies to equalize their charges for transportation.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Clark, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Reno, Riggs, Rudder,

Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Barker, Given, Hoyer, King, Martin, McConnell, Peed, Pfrimmer, Richardson, Smith, Thompson (of Elkhart) and Tulley—12.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Riggs presented a petition from numerous citizens on the subject of temperance.

Which was referred to the Committee on Temperance.

On motion of Mr. Blocher, the House adjourned until this afternoon at 2 o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills beg leave to report, that they have examined enrolled House bill No. 297, entitled, "An act to authorize aid to the construction of railroads etc., and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill thereof, to-wit:

Engrossed Senate bill No. 262, entitled, "A bill to change the time of holding the Circuit Court in Huntington county, Indiana," and the same is herewith transmitted to the House of Representatives for its action thereon.

I am also directed by the Senate to inform the House, that the Senate has concurred in the engrossed amendments of the House to Senate bill No. 2, entitled, "A bill to authorize and regulate the incorporation of banks of discount, and deposit in the State of Indiana."

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The committee, to whom was referred House bill No. 340, report the same back without recommendation.

SPECIAL ORDER.

The special order being the consideration of engrossed House bill No. 55, said bill was taken up, read a second time and on motion of Mr. Richardson, referred to the Committee of the Whole House.

Whereupon, the House went into Committee of the Whole and the Speaker called Mr. Peed to the chair.

After some time spent in Committee of the Whole House, the committee rose and reported progress.

Whereupon, Mr. Peed, chairman of the Committee of the Whole House, submitted the following report:

MR. SPEAKER:

The Committee of the Whole House upon rising, have directed me to report, that they have had under consideration engrossed

House bill No. 55, and ask that the further consideration of said bill be postponed until 10 o'clock a. m. to-morrow, and that the same be made a special order for that hour.

Which report was concurred in.

Engrossed House bill No. 261 was taken up and read a third time.

Whereupon, Mr. Willson, of Ripley, moved to lay said bill on the table.

The question being, shall engrossed House bill No. 261 be laid on the table?

Whereupon Messrs. McConnell and Shirley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glazebrook, Goble, Hatch, Heller, Hollingsworth, Isenhauer, Johnson, Lenfesty, Odle, Offut, Ogden, Pfrimmer, Prentiss, Schmuck, Smith, Tingley, Thompson (of Elkhart), Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley) and Woodard —44.

Those who voted in the negative were, Messrs. Barker, Barrett, Cline, Crumpacker, Dial, Ellsworth, Givan, Glasgow, Goudie, Gronendyke, Hedrick, Henderson, Hoyer, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, North, Peed, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Troutman, Tulley, Willard, Wood, Woollen, Wynn and Mr. Speaker—43.

So the bill was laid on the table.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the

House of Representatives, that he has signed enrolled act of the House No. 297, entitled, "An act supplemental to an act, to authorize aid to the construction of railroads by counties and townships, taking stock in and making donations to railroad companies," approved May 12, 1869, and the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the Joint Rules.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report, that they have this 29th day of January 1873, presented to the Governor for his approval House bill No. 297, entitled, "An act, supplemental to an act, to authorize aid in the construction of railroads etc."

SPECIAL ORDER.

The special order being the consideration of House bill No. 316 in Committee of the Whole House, the Speaker called Mr. Peed to the chair.

After some time spent in Committee of the Whole House, the committee rose.

Whereupon, Mr. Peed, chairman of the Committee of the Whole House, submitted the following report:

Mr. Speaker:

The Committee of the Whole House, having had under consideration House bill No. 316, upon rising, have directed me to report said bill back to the House, with the recommendation, that it lie on the table.

Which report was concurred in and the bill laid on the table.

Engrossed House bill No. 410 was taken up.

Mr. Woollen moved that the House go into the Committee of the Whole, to take under consideration said bill.

Which motion prevailed, and the Speaker called Mr. Woollen to the chair.

After some time spent in Committee of the Whole House, the committee rose.

Whereupon, Mr. Woollen, chairman of the Committee of the Whole House, submitted the following report:

Mr. Speaker:

The Committee of the Whole House having had under consideration House bill No. 410, upon rising, have directed me to report said bill back to the House with the recommendation, that it pass.

Which report was concurred in, the bill considered as engrossed, read a third time and put upon its passage.

Mr. Givan moved to lay said bill upon the table.

Whereupon, Messrs. Givan and Shirley demanded the ayes and noes.

The question being, shall the bill lie on the table?

Those who voted in the affirmative were, Messrs. Barker, Blocher, Brett, Broaddus, Cline, Crumpacker, Dial, Eaton, Ellsworth, Gifford, Givan, Glasgow, Heller, Henderson, Hoyer, Isenhauer, McConnell, McKinney, Miller, North, Peed, Reno, Richardson, Schmuck, Scott, Shirley, Stanley, Teeter, Thayer, Tingley, Troutman, Tulley, Wilson (of Blackford) and Mr. Wood—34.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Branham, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Hollingsworth, Kimball, King, Kirkpatrick, Lenfesty, Martin, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Satterwhite, Shutt, Spellman, Strange, Thompson (of Elkhart), Walker, Wesner, Whitworth, Willard, Willson (of Ripley), Woodard, Woollen, Wynn and Mr. Speaker—54.

So the bill was not laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Branham, Butterworth, Butts, Clark,

Cline, Cobb, Cole, Cowgill, Durham, Eward, Furnas, Goble, Goudie, Gronendyke, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, Mellett, North, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Shutt, Spellman, Strange, Thayer, Thompson (of Elkhart), Walker, Wesner, Whitworth, Willard, Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker —55.

Those who voted in the negative were Messrs. Barker, Blocher, Brett, Broaddus, Coffman, Crumpacker, Dial, Eaton, Ellsworth, Gifford, Givan, Glazebrook, Heller, Henderson, Hoyer, Isenhauer, McConnell, McKinney, Miller, Peed, Reno, Richardson, Rudder, Schmuck, Scott, Shirley, Stanley, Teeter, Tingley, Troutman, Tulley and Wilson (of Blackford)—32.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

The same was passed over informally until to-morrow.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House, that the Senate has concurred in the following resolution of the House, to-wit:

Whereas, By an act of the General Assembly, Tuesday, February 18, 1873, has been fixed for the election of the State to accept or reject the amendment now pending to the Constitution of the State; and,

Whereas, The constitutional requirements in several particulars, and such amendments should be submitted for the consideration of the General Assembly as early as possible, so that they may be disposed of, and incorporated in the Constitution; therefore,

Resolved, the Senate concurring herein, That a committee of five on the part of the House, and three on the part of the Senate be appointed, to mature and submit to this General Assembly such amendments to the Constitution as they may deem proper, and that they report on the twentieth day of February next, and

the Senate has appointed on such committee, Messrs. Brown, Hubbard and Boone.

Also, I am directed by the Senate to inform the House, that the Senate has concurred in the following resolution of the House, to-wit:

WHEREAS, There is some misunderstanding in regard to the title of certain real estate lying between Washington, Ohio, Tennessee and Mississippi streets, in the city of Indianapolis, said misunderstanding being as to whether the State of Indiana, or private persons are the owners of said real estate; therefore,

Resolved by the House of Representatives, the Senate concurring therein, that the Attorney General of the State of Indiana be, and he is hereby directed to examine the titles of said real estate, and report the result of his investigation to the General Assembly.

Also, I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the accompanying resolution of the House in relation to certain law books, furnished the Law Institute of the city of Chicago by the Governor and the Judges of the Supreme Court.

WHEREAS, The great fire of Chicago, the Law Institute of that city lost its Library;

WHEREAS, The Judges of the Supreme Court and the Governor of this State, sent to the Hon. S. B. Gookins a full set of Indiana Reports, a set of Indiana Statutes (Gavin and Hord), consisting of three volumes, the property of the State; and,

WHEREAS, These books were sent and received with the understanding, that they would be returned to the Governor and Judges of the Supreme Court, unless the General Assembly should sanction their retention by the Law Institute of Chicago as a donation from the people of the great State of Indiana; therefore,

Be it resolved by the General Assembly of the State of Indiana, that the above mentioned books be retained by that association as a contribution from the State of Indiana to the Institution, and that the Secretary of State be instructed to notify the officers of that Institution of the adoption of this resolution.

Engrossed House bill No. 335 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Goble, Goudie, Gronendyke, Hedrick, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offut, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—69.

Those who voted in the negative were, Messrs. Barker, Dial, Durham, Hoyer, Kirkpatrick and Troutman—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker laid before the House a memorial from the State Board of Agriculture, asking for the passage of a law, prohibiting the indiscriminate hunting and shooting on the premises of another, etc.

Which was referred to the Committee on Agriculture.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 55, have had the same under consideration, and have instructed me to report the same back to the House without recommendation.

Which report was concurred in and the bill ordered to be engrossed.

On motion of Mr. Blocher, the House adjourned until 9:30 o'clock to-morrow morning.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

THURSDAY MORNING.

JANUARY 30, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. E. F. Howe, Pastor of the First Congregational church of Terre Haute.

The journal of yesterday was read in part, when on motion of Mr. McConnell, the further reading of the same was dispensed with.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 6, entitled, "An act concerning the transportation of freights and passengers on railroads within this State, and repealing all laws in conflict with this act and prescribing penalties for the violation thereof," have had the same under consideration, and have directed me to report the same back to the House with the following amendments:

Strike out the word "terminus" in the eleventh line of section seven, and insert in lieu thereof the word "termini;" and strike out the word "above" in the fifteenth line of said section, and insert the word "said" in place thereof, and after said amendments are adopted, the committee recommend the passage of said bill.

Which report was concurred in and the amendments adopted.

Whereupon, Mr. Butterworth offered the following amendment: Add this provision to section six: *Provided*, That nothing herein shall be so construed as in any way to effect or prejudice any rights af action or prosecution of any nature which the State may now have against any such corporation.

Which amendment was adopted.

Mr. Offutt offered the following amendments:

SECTION 9. Whenever any such shipper or company engaged in buying and shipping any and all kinds of live stock, meats, grain, seeds, vegetables, fruits, implements, machinery, lumber, saw logs, cord wood, coal-coke, stone, clay, metals, baled hay, baled straw, spirits, goods, wares and merchandise manufactured or to be manufactured or other personal property, and shall have a sufficient quantity to load a car or cars to send to one consignee, and shall notify any such railroad company of his or their desire to ship such articles or things by their railroad, and of the time and side track where and when he or they may desire to load the same, it shall be the duty of such company to furnish suitable car or cars on such designated side tracks and to each shipper or company in the order of their notices and application as soon thereafter as it reasonably can be done, and to furnish each applicant in the order of their notice such convenient opportunities and facilities for loading and unloading cars as reasonably as can be afforded, and in case any person or company shall order any car or cars to be provided for his or their use by any particular time and place and shall fail or delay to load or use the same when furnished, he or they shall be liable to such company for the value of the same, for such time as the same shall have been left at his or their disposal, and unused by him or them at the rate of five dollars per day for such car so ordered and furnished, and any railroad company violating any of the provisions of this section of this act, shall be liable to the person or company damaged thereby, in the sum of ten dollars per day for such time, as such railroad company may fail or refuse to furnish car or cars to such person or company, as in this section of this act provided to be recovered in any court of competent jurisdiction together with reasonable attorneys fees.

Which amendments were adopted.

SPECIAL ORDER.

The hour having arrived for the consideration of House bill No. 55, made a special order for this hour, said bill was taken up and and read a third time.

Mr. Mellett moved to reconsider the vote taken on yesterday, ordering said bill to be engrossed.

Which motion prevailed.

Whereupon Mr. Brett moved to lay said bill on the table.

The question being, shall said bill be laid on the table?

On which motion, Messrs. Brett and Smith demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Baxter, Blocher, Branham, Brett, Broaddus, Cauthorn, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Ellsworth, Eward, Furnas, Gifford, Givan, Henderson, Hoyer, Isenhauer, King, Martin, Offutt, Ogden, Pfrimmer, Reno, Schmuck, Smith, Spellman, Teeter, Tingley, Thompson (of Elkhart), Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley) and Woodard—40.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Billingsley, Bowser, Butterworth, Butts, Clark, Cline Cole, Cowgill, Eaton, Edwards (of Lawrence), Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Jones, Kimball, Kirkpatrick, Lenfesty, McConnell, Mellett, North, Odle, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shutt, Stanley, Strange, Thayer, Troutman, Tulley, Wood, Woollen, Wynn and Mr. Speaker—50.

So the bill was not laid on the table.

On motion of Mr. Mellett, said bill was then referred to the Committee of the Whole House.

Whereupon, the Speaker called Mr. Lenfesty to the chair.

After some time spent in Committee of the Whole House, the committee rose.

Whereupon Mr. Lenfesty, chairman of the Committee of the Whole House, submitted the following report:

MR. SPEAKER:

The Committee of the Whole House having had under consideration House bill No. 55, upon rising, have directed me to report progress and ask leave, to sit again at 2 o'clock this p. m.

Which report was concurred in.

Mr. Broaddus, chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have compared engrossed bills Nos. 55, 288, 368, 189, 372, 282, 310, 236, 311, 341, 319, 271, 266, 287, 252, 201, 270 and 264 with the original copies, and find them in all things correctly engrossed.

Mr. Wilson (of Blackford) presented a petition from sundry citizens on the subject of temperance.

Which was referred to the Committee on Temperance.

House bill No. 410 was taken up, which had passed over for the amendment of the title.

Whereupon, Mr. Woollen offered the following amendment to the title of said bill: "An act to amend an act, to authorize township trustees, trustees of incorporated towns, and the common council of cities, to levy a tax for school purposes," approved March 9, 1867, and requiring the levying of said tax by the school trustees of the civil townships, towns and cities.

Which amendment was adopted.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The special order being the consideration of House bill No. 312.

On motion of Mr. Butts, said bill was ordered placed upon the files, to come up in its regular order.

SPECIAL ORDER.

The special order for this hour being the consideration of House bill No. 55.

In the Committee of the Whole House, the Speaker called Mr. Lenfesty to the chair.

After some time spent in the committee of the whole House, the committee rose, and Mr. Lenfesty, chairman of the Committee of the Whole House, submitted the following report:

MR. SPEAKER:

Your committee of the whole House, to whom was referred House bill No. 55, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that the same be referred to a select committee of five.

Which report was concurred in.

Whereupon the Speaker announced the following named gentlemen as such committee: Messrs. Woollen, Lenfesty, Givan, Johnson and Branham.

Mr. Mellett, chairman of the Committee on Education, having declined to serve on said select committee.

Mr. Cobb, chairman of the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills, report that they have examined Senate Joint Resolution No. 7, entitled "A Joint Resolu-

tion concerning public printing," and find that the same is correctly enrolled.

The message of the Governor, in relation to the erection of public buildings at Evansville, was taken up.

Whereupon Mr. Riggs introduced House bill No. 416—an act granting the consent of the State of Indiana to the purchase by the United States, of certain lands for the purpose of the erection of a public building at Evansville, and ceding jurisdiction over the same.

Which bill was read a first time, and on motion said bill and the message of the Governor, on the same subject, were referred to the Committee on Federal Relations.

The following message was received from the Governor, by his Private Secretary, Samuel R. Downey.

Mr. Speaker:

By direction of the Governor I have the honor to inform the House that His Excellency has approved and signed Enrolled act No. 301, entitled "An act to change the time of holding the Circuit Court of Bartholomew county at the summer term.

Also, Enrolled act No. 302, entitled "An act fixing the time of holding the Common Pleas Court in the county of Bartholomew."

Also, Enrolled act No. 297, entitled "An act supplemental to an act to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869, and that he has caused said acts to be deposited in the office of Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

Senate bill No. 6, was taken up, the bill as amended read a second time, and, on motion, laid on the table, and 300 copies ordered to be printed for the use of the members of the House; and said bill was made a special order for Tuesday next at 2 o'clock p. m.

The message of the Governor in relation to the propagation and

and protection of fish, was taken up, and, on motion of Mr. Kimball, referred to the Committee on Agriculture.

The message of the Senate, and Senate concurrent resolution, in relation to purchasing a new flag for the State House.

On motion, the resolution was concurred in.

The Senate concurrent resolution, in relation to payments of claims, and matters connected therewith, was taken up.

The question being, shall the concurrent resolution be concurred in?

It was not concurred in.

Engrossed House bill No. 27, was taken up, and the following amendments of the Senate read:

Amend section 1st by adding the following: "*Provided*, That the provisions of this act shall not apply to contracts heretofore made." Also, add the following as section 2: "Whereas an emergency exists for the immediate taking effect of this act, therefore the same be in force from and after its passage."

Also, amend the title by striking out the word "concurring," and inserting the word "regulating."

In which the concurrence of the House is respectfully requested.

Which amendments were concurred in.

Mr. Kimball presented the petition of Mary Jane Jameson, of Pennsylvania, claiming an interest in the two squares, or out-lots, in the city of Indianapolis, now in possession and control of the Trustees of the Blind Asylum of the State of Indiana.

Which petition was referred to the Committee on Claims.

By unanimous consent of the House, Mr. Offutt offered the following amendments to Senate bill No. 6:

"In all actions arising under the provisions of this act against any railroad company, it shall be sufficient to bring such action against such railroad as defendant, wheresoever the same is or was,

being run by the company, or by a lessee, assignee, receiver, or other person in the name of such company; and the summons shall be served by the proper officer on the railroad company defendant at least ten days before the first day of the term of the court at which such cause is to be heard; and in case such action is commenced before a justice of the peace, then such summons shall be served on such railroad company defendant at least ten days before the time set down for the trial of the same, and such summons may be served by copy on any conductor of any train on said railroad passing into or through such county."

Which amendments were ordered to be printed with said bill.

On motion of Mr. Kimball, House bill No. 391 was taken up. read a second time and ordered to be engrossed.

On motion of Mr. Woollen, Senate bill No. 262 was taken up —a bill to change the time of holding the circuit court in Huntington county, Indiana.

Which bill was read a first time.

Whereupon, Mr. Walker moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Given, Glazebrook, Goble, Gregory, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—75.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Barker, Baxter, Blocher, Bowser, Branham, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion House bill No. 316 was taken from the table, read a second time and ordered to be engrossed.

Mr. Johnson introduced House bill No. 417—an act governing costs in Superior Courts in this State.

Which bill was read a first time.

Whereupon Mr. Johnson moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Blocher, Bowser, Branham, Butter-

worth, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Crumpacker, Durham, Edwards (of Lawrence), Eward, Gifford, Given, Glazebrook, Goble, Gregory, Hatch, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Satterwhite, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Troutman, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen and Mr. Speaker—64.

Those who voted in the negative were, Messrs. Dial, Ellsworth, Furnas, Hedrick, Rumsey, Schmuck, Scott and Tulley—8.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messers. Anderson, Baker, Barker, Barrett, Baxter, Blocher, Bowser, Branham, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronenkyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Blocher, the House adjourned until to-morrow morning at 9:30 o'clock.

This Journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

FRIDAY MORNING.

JANUARY 31, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. E. F. Howe, of Terre Haute.

The journal of yesterday was read in part, when on motion of Mr. Wood, the further reading of the same was dispensed with.

Mr. Broaddus, Chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have examined engrossed copies of House Bills Nos. 289 and 335 and find them in all things correctly engrossed.

On motion of Mr. Kimball, engrossed bill No. 372 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Goble, Gregory, Gronendyke, Hatch, Heller, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, Odle, Offut, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Stanley, Teeter, Tingley,

Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—73.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

On motion of Mr. Butts, the vote by which House bill No. 327 was ordered to be engrossed, was reconsidered, and said bill was recommitted to the Committee on Temperance.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report :

Mr. Speaker :

The Committee on the Judiciary, to whom was referred House bill No. 339, entitled, " An act defining felons and prescribing punishment therefor," have had the same under consideration, and have directed me to report the same back to the House with the following amendments :

Strike out the words " a view or" in the third line of section one, and insert in lieu thereof the word " intent." Strike out the word " two" in the forty-sixth line, of section one, and insert in lieu thereof the word "one." Strike out the word " fourteen," in the forty-seventh line of said section, and in lieu thereof, insert " five." Strike out section two, and after said amendments are adopted, said committee recommend the passage of said bill.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill Nos. 158 and 176, and Senate bill No. 115, relating to the regu-

lations of freights and rates of travel on railroads in this State, having had the same under consideration, have directed me to report the same back to the House, with recommendation that they lie on the table as the subject matters of said bills is embraced in Senate bill No. 6, the passage of which has been recommended by said committee.

Which report was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills would report that they have examined Joint House Resolution No. 12, entitled "A joint resolution in relation to giving notice to the electors of the State of Indiana of the submission to the same for adoption or rejection the proposed amendments to the Constitution, etc., etc., and find the same correctly enrolled.

On motion of Mr. Branham, Senate bill No. 115, was taken from the table, 200 copies ordered printed for the use of the members of the House, and made a special order for 2 o'clock p. m. Tuesday next.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 384, entitled "An act to repeal section two hundred and twenty-four of an act entitled 'An act to revise, simplify and abridge the rules, pleadings, practice and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,' approved June 10, 1852, and declaring an emergency," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 386, entitled "An act to punish intemperance, with contracts for labor," have examined the same and directed me to report the said bill back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

The Speaker announced that he had signed Enrolled House Joint Resolution No. 12.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred House bill No. 392, a bill for an act to amend section 7 of "An act providing for the settlement of decedents' estates," have had the same under consideration, and direct me to report the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary to whom was referred House bill No. 405, entitled "An act supplemental to an act to establish Superior Courts, defining their jurisdiction, and providing for the election and compensation of the judges thereof, have considered said bill and find that there is sufficient legislation on the subject, and recommend that said bill be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Captain J. H. Smith's Company, Shelby Light Home Guards, Ninth Indiana Legion, for guard duty performed by said company in September, 1862, have had the same under consideration and I am directed to report the same back to the House with the recommendation that the same be not allowed.

Which report was concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Joint Resolution, to-wit:

Engrossed House Joint Resolution No. 12—a joint resolution in relation to giving notice to the electors of the State of Indiana, of the submission to the same for their adoption or rejection of the proposed amendment to the Constitution of Indiana, in relation to the debt charged upon the Wabash and Erie Canal.

Also I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof, the following enrolled act to-wit:

Enrolled Senate Joint Resolution No. 7—entitled "A Joint Resolution concerning public printing, and the same is herewith returned to the House of Representatives.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

MR. SPEAKER:

The Committee on Rights and Privileges to whom was referred House Bill No. 376, have had the same under consideration and

recommend the following amendments, and when so amended that it pass.

Amend by striking out the words "outside of the corporate limits of any city or town organized under the laws of the State.'

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Thayer, chairman of the Committee on Manufactures and Commerce, submitted the following report:

Mr. Speaker:

The Committee on Manufactures and Commerce, to whom was referred House Bill No. 303, entitled "An act to amend section 2 and 6, of an act entitled an act providing for a geological survey and for the collection and preservation of a geological and mineralogical cabinets of the natural history of this State, and creating the office of State Geologist, defining the duties, fixing the salary, and appropriating a sufficient amount of money to defray the necessary expenses of said survey and the collection and preservation of said cabinet, have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass.

Which report was concurred in and the bill read a second time.

Whereupon Mr. Butterworth offered the following amendment:

Amend by striking out $10,000 and inserting in lieu thereof $6,000.

Amend by inserting in the proper place $2,500 in lieu of $3,600

Which amendment was adopted.

Mr. Mellett offered the following amendment:

Amend by striking out $10,000 and inserting $6,000, and by striking out $3,600 and inserting $3,000.

Mr. King moved to lay the amendment on the table.

Whereupon Messrs. King and Tulley demanded the ayes and noes.

The question being, shall the amendment be laid on the table?

Those who voted in the affirmative were Messrs. Anderson, Baker, Billingsley, Cauthorn, Claypool, Coffman, Cowgill, Durham, Edwards (of Lawrence), Furnas, Gifford, Gronendyke, Hatch, Heller, Hoyer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Miller, North, Odle, Peed, Reno, Riggs, Schmuck, Smith, Troutman, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—34.

Those who voted in the negative were, Messrs. Barker, Barrett, Blocher, Branham, Brett, Broaddus, Butterworth, Clark, Cline, Cobb, Crumpacker, Dial, Ellsworth, Eward, Givan, Glasgow, Glazebrook, Gregory, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Martin, McConnell, McKinney, Mellett, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Tulley, Walker, Wesner and Whitworth—50.

So the amendment was not laid on the table.

Mr. Gregory offered the following amendment:

Amend by striking out three thousand and inserting twenty-five hundred.

On motion of Mr. Branham the bill and amendments were laid on the table and made a special order for Wednesday next at 10 o'clock a. m.

The Speaker announced that he had signed Enrolled Senate Joint Resolution No. 7.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House that he has signed the following joint resolution to-wit:

Enrolled Senate Joint Resolution No. 7, entitled, "A joint resolution concerning Public Printing.

Also, Enrolled House Joint Resolution No. 12, entitled, "A joint resolution in relation to giving notice to the electors of the State of Indiana, of the submission to the same, for their adoption or rejection, the proposed amendment to the constitution of Indiana, in relation to the debt charged upon the Wabash and Erie canal.

And the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the Joint Rules.

Mr. Thompson, of Elkhart, Chairman of the Committee on County and Township Business, submitted the following report:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 353—an act to prohibit township trustees from levying a road tax upon the inhabitants of incorporated towns and cities, have had the same under consideration and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Thompson, of Elkhart, Chairman of the Committee on County and Township Business, submitted the following report on House bill No. 346 and substituting a bill in lieu thereof:

Mr. Speaker

The Committee on County and Township Business, to whom was referred House bill No. 346, entitled, "An act to amend section 270 of an act entitled, 'An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" have had the same under consideration and recommend that the same lie on the table, and the following substituted for said House bill No. 346:

House bill No. 418 being a bill substituted in lieu of House bill No. 346—an act to amend section 270 of an act entitled, "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon."

Which report was concurred in, the original bill laid on the table and the substituted bill read a first time and referred to the Committee on County and Township Business.

Mr. Wynn, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House Bill No. 338, entitled, "An act to prohibit township trustees from levying a tax upon the inhabitants of incorporated towns of one thousand inhabitants or over, that are organized into road and school districts, on the real and personal property of the said inhabitants situated therein, repealing all laws or parts of laws in conflict therewith and declaring an emergency," have had the same under consideration and have instructed me to report the same back with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Coffman, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 412, entitled "An act to authorize County Boards to purchase and construct gravel roads," have had the same under consideration and would recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Prentiss, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred Senate bill No. 24, indicating the time when supervisors of roads shall make their reports to Township Trustees, have had the same under consideration and requested me to report the same back to the House, with the recommendation that it pass.

Which report was concurred in, the bill read a second time and passed to a third reading.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was re-committed House bill No. 191 with instructions, have had the same under consideration and instructed me to report the same back with the following amendments, and when so amended, recommend that it pass:

Amend by striking out the word "felony," in section one, in line twenty-one, and insert in lieu thereof, the word "trespass."

Which report and amendments were laid on the table.

Mr. Gifford, from the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

Your Committee on Cities and Towns, to whom was referred House bill No. 272—an act to regulate the sale of mineral oils and other substances for illuminating purposes, have had the same under consideration and direct me to report it back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Martin introduced House bill No. 419—an act to amend section fifty-eight of chapter one of "An act providing for the election and qualification of Justices of the Peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852. And also amend sections six and seven of "An act prescribing the powers and duties of justices of the peace in State prosecutions," approved May 29, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Anderson introduced House bill No. 420—an act to abolish the grand jury system and repeal all laws in relation thereto.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Givan introduced House bill No 421—an act fixing the terms of the circuit courts of Dearborn county.

Which bill was read a first time and passed to a second reading.

Mr. Givan introduced House bill No. 422—an act fixing the terms of the court of common pleas of Dearborn county.

Which bill was read a first time and passed to a second reading.

Mr. Claypool presented a petition from sundry citizens of Fountain county on the subject of temperance, which was referred to the Committee on Temperance.

Mr. Clark offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the General Assembly of the State of Indiana, have viewed with pleasure the wise beneficent and humane policy of the President of the United States toward the different Indian tribes, as is shown by his endeavors to place these wards of the nation under the care of the various religious denominations of the country, and also in his endeavors to confine the tribes to and upon their landed reservations as well as to protect them from the encroachments of citizens and traders according to treaty stipulations.

Which concurrent resolution was adopted.

Mr. Kirkpatrick introduced House bill No. 423—an act in relation to the loaning and securing the common school fund of the State of Indiana, and fixing the rate of interest to be paid on the same.

Which bill was read a first time and referred to the Committee on Education.

Mr. Cauthorn introduced House bill No. 424—an act to amend the 120th section of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings, and forms in criminal actions in the courts of this State," approved June 17th, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Edwards, of Lawrence, introduced House bill No. 425—a bill to regulate the sale of intoxicating liquors by druggists.

Which bill was read a first time and referred to the Committee on Temperance.

Mr. Wynn introduced House bill No. 426—an act to provide for organizing street railroads to extend beyond city or town boundaries, and to assess land adjoining for the benefit of said road.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Kimball moved that House bill No. 67 be taken from the table and referred to a select committee of five.

Which motion prevailed and the Speaker appointed the following named gentlemen as such committee:

Messrs. Kimball, Pfrimmer, Wynn, Givan, and Willson, of Ripley.

Mr. Johnson introduced House bill No. 427—an act to amend an act entitled "An act defining misdemeanors and prescribing punishment therefor."

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Johnson introduced House bill No. 428—a bill to allow the endowments of orphan asylums.

Which bill was read a first time and referred to the Committee on Benevolent Institutions.

Mr. King introduced House bill No. 429—an act concerning grain elevator corporations, receipts issued by such corporations, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Agriculture.

Mr. Billingsley presented a petition from sundry citizens, asking for the completion of the Indiana Reformatory Institute for Women and Girls, etc., which was referred to the Committee on Reformatory Institutions.

Mr. Peed introduced House bill No. 430—an act to amend sec-

tions five and six, of an act entitled "An act to authorize the boards doing county business to declare water courses navigable," approved May 31, 1852.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Eward introduced House bill No. 431—an act to amend the twenty-fourth section of an act entitled "An act regulating descents and the apportionment of estates," approved May 14, 1852.

Which bill was read a first time, and referred to the Committee on the Judiciary.

On motion of Mr. Reeves, Senate bill No. 168 was taken from the table, and referred to the Committee on Ways and Means.

Mr. Shirley introduced House bill No. 432—an act to amend section sixteen of an act entitled "An act concerning promissory notes, bills of exchange, bonds, or other instruments in writing, signed by any person who promises to pay money to be due, or for the delivery of any specific article, or to convey property, or to perform any stipulation therein mentioned, and repealing all laws coming in conflict therewith," approved March 11, 1861.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Mr. Shirley introduced House bill No. 433—an act relating to interest.

Which bill was read a first time, and referred to the Committee on Banks.

Mr. Shirley, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 418, entitled "An act to amend section 270 of an act entitled 'an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon,'" have had the same under consideration, and recommend its passage.

Which report was concurred in.

Whereupon, Mr. Shirley moved that the constitutional rules be suspended, the bill read a second time by its title, considered engrossed, read a third time by sections and put upon its passage.

The question being, shall the constitutional rules be suspended.

Those who voted in the affirmative were, Messrs. Baker, Bowser, Broaddus, Clark, Claypool, Cole, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Heller, Henderson, Hollingsworth, Hoyer, Kimball, King, Martin, Offut, Peed, Prentiss, Reeves, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Spellman, Thayer, Tingley, Thompson (of Elkhart), Troutman, Willson (of Ripley) and Mr. Speaker—34.

Those who voted in the negative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Cobb, Coffman, Dial, Durham, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Isenhauer, Johnson, Jones, Kirkpatrick, Lenfesty, McConnell, Miller, North Odle, Ogden, Pfrimmer, Reno, Richardson, Riggs, Schmuck, Smith, Teeter, Tulley, Walker, Whitworth, Wilson (of Blackford), Woodard, Wood and Wynn—48.

So the constitutional rule was not suspended, and said bill passed to a second reading.

Mr. Tulley offered joint resolution No. 14—a joint resolution concerning a bill pending in the Senate of the United States, to shorten the time now required by law, to enable soldiers of the war of 1812 to draw pensions.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Bowser, Branham, Broaddus, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offut, Ogden, Peed,

Pfrimmer, Prentis, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker —79.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Blocher moved that when the House adjourn it adjourn until to-morrow at 9:30 o'clock a. m.

Which motion prevailed.

Mr. Hollingsworth was granted leave of absence until Tuesday next.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in presence of the committee, and found to be correct.

W. K. EDWARDS, Speaker.

SATURDAY MORNING.

February 1, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. N. A. Hyde, of Indianapolis.

The journal of yesterday was read in part, when, on motion of Mr. Gifford, the further reading of the same was dispensed with.

On motion of Mr. Cobb, the vote by which House bill No. 272 was indefinitely postponed, was re-considered and said bill was referred to the Committee on the Judiciary.

Mr. Cauthorn presented a petition from sundry citizens of Knox county asking the revisal of the judicial system, and that the common pleas court be abolished.

Which was laid on the table.

Mr. Reno introduced House bill No. 434—a bill supplemental to an act entitled, "An act concerning licenses to vend foreign merchandize to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain," approved June 15, 1852.

Which bill was read a first time and passed to a second reading.

Mr. Hatch presented a petition from Harvey R. Harris, Auditor of Laporte county, asking the passage of House bill No. 347.

Which was referred to the Committee on Ways and Means.

Mr. Riggs presented petitions from sundry citizens on the subject of temperance.

Which were referred to the Committee on Temperance.

Mr. Dial introduced House bill No. 435—an act to repeal section 118 of an act entitled, "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.

Which bill was read a first time and referred to the Committee on Ways and Means.

Mr. Walker introduced House bill No. 436—an act to amend sections 109, 110, 111 and 118 of an act entitled, "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties," approved March 6, 1865.

Which bill was read a first time and referred to the Committee on Education.

Mr. Walker presented the claim of Holland and Binkley, for legal services.

Which was referred to the Committee on Claims.

Mr. Walker presented a petition from sundry county auditors of the State asking for the passage of House bill No. 347.

Which was referred to the Committee on Ways and Means.

Mr. Tulley presented a petition from sundry citizens on the subject of temperance.

Which petition was referred to the Committee on Temperance.

Mr. Tulley introduced House bill No. 437—a bill to require surviving partners to give bond, file inventories and appraisments of partnership effects, and file list of liabilities, and to make final settlement report in the court of common pleas.

Which bill was read a first time and referred to the Committee on the Judiciary.

The Speaker announed that he had signed Enrolled House act No. 27.

Also, Enrolled House act No. 211.

Mr. Isenhauer introduced House bill No. 438—an act to repeal section 2 and amend sections 3 and 4 of an act entitled "An act repealing sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled 'An act to provide for the registering of voters, and to declare their residence and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named and the form of the ballots, and providing compensation for the services of such officers,' approved March 10, 1867, and prescribing further duties of the officers of elections, and providing for the appointment of the necessary officers and clerks for holding such elections," approved May 13, 1869.

Which bill was read a first time and referred to the Committee on Elections.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 211, entitled—a bill supplemental to an act entitled "An act to establish a Female Prison and Reformatory Institution for Girls and Women, and to provide for the organization and making appropriations," approved May 13, 1869.

And the same is herewith returned to the House of Representatives.

On motion of Mr. Givan, House bill No. 421 was taken up and read a second time.

Mr. Givan moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Brett, Broddus, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Hatch, Hedrick, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walkner, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—67.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Brett, Broddus, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Dial, Dur-

ham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Hardesty, Hatch, Hedrick, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—67.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Givan, House bill No. 422, was taken up and read a second time.

Mr. Givan moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Brett, Broaddus, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Hardesty, Hatch, Hedrick, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—67.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Brett, Broaddus, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Hardesty, Hatch, Hedrick, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker —68.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

Mr. King offered the following resolution:

Whereas, Patrick H. Lee, a member of this House, from the county of Vigo, obtained an indefinite leave of absence during the late special session of this General Assembly, on account of serious illness; and

Whereas, Continued ill health has thus far rendered it impossible for him to resume his seat in this body during the present session; therefore,

Resolved, That the said Patrick H. Lee be, and he is hereby, allowed the same per diem and mileage that other members of this House are allowed and receive, and the Speaker is hereby authorized and directed to issue his certificate for the amount thereof.

Which resolution was adopted.

Mr. Miller offered the following resolution:

Resolved, That the Committee on Fees and Salaries be requested to report back the various bills in their possession regulat-

ing the salaries of county officers, with their recommendation, by Wednesday morning.

Which resolution was adopted.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 168, have had the same under consideration, and have directed me to report the same back, with the following amendments, and when so amended, respectfully recommend its passage:

Sec. 4. That principal and assistant clerks of the House be allowed one additional clerk, between them, and, that the Committee of Ways and Means, Public Buildings and Benevolent Institutions be allowed one clerk.

Sec. 5. That the Secretary and Assistant Secretary of the Senate, and the principal clerk and assistant clerk of the House, be allowed the same pay per diem as members of the General Assembly,

Which report was concurred in and the amendments adopted.

Whereupon Mr. Wesner offered the following amendments:

So amend as to read: And that the door-keeper of the House be allowed to employ two additional employes to perform such duties as may be required of them.

Which amendment was adopted.

Mr. Wlaker offered the following amendment:

Amend by striking out the following, in section one: "That the principal and assistant secretaries shall be authorized to appoint, when the duties pertaining to their office require it, one page for both," and strike out sections two and three.

Which amendment was adopted, and the bill as amended read a second time and ordered to be engrossed.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 60, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 16—an act authorizing suits to be brought in the partnership name against individual partners, and declaring an emergency.

Also, Engrossed Senate bill No. 32—a bill to legalize the sale of seminary lands in Jasper county to Marion L. Spitler and Margaret Stackhouse, and directing how the proceeds of said sale shall be applied.

Also, Engrossed Senate bill No. 37—an act to amend section 47 of an act entitled "An act to provide for the opening, vacating and change of highways," approved June 17th, 1852.

Also, Engrossed Senate bill No. 50—an act to correct and define more correctly the boundary lines between the counties of Washington and Clarke, and declaring an emergency.

And the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Kimball presented the claim of N. B. & E. Taylor for $100 for legal services.

Which was referred to the Committee on Claims.

Mr. Kimball presented the claim of McDonald, Butler & McDonald for $250 for legal services.

Which was referred to the Committee on Claims.

Mr. Cauthorn offered Joint Resolution No. 15—a joint resolution relative to the agreement between the States of Indiana and Ohio on the subject of the Wabash and Erie Canal.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Brett, Broddus, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Hardesty, Hatch, Hedrick, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Offut, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—67.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

The Speaker called Mr. Reno to the chair.

Mr. Edwards (of Vigo) introduced House bill No. 439—an act to provide liens on buildings, and for the enforcement of the same.

Which bill was read a first time, and referred to the Committee on the Judiciary.

The Speaker took the chair.

Mr. Baker offered Joint Resolution No. 16—a joint resolution

requiring the Secretary of State to have printed five thousand copies of the general assessment law, and distribute the same to the county auditors throughout the State.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Cline, Cobb, Cole, Cowgill, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Hardesty, Hatch, Hoyer, Johnson, Jones, Kimball, King, Lentesty, McConnell, Mellett, Miller, North, Ogden, Reeves, Riggs, Schmuck, Scott, Shutt, Smith, Teeter, Thompson (of Elkhart), Wesner, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—43.

Those who voted in the negative were, Messrs. Barker, Brett, Butterworth, Cauthorn, Claypool, Coffman, Dial, Durham, Eaton, Eward, Hedrick, Isenhauer, Kirkpatrick, McKinney, Offut, Pfrimmer, Prentiss, Reno, Rudder, Shirley, Tingley, Troutman, Tulley, Walker and Whitworth—25.

So the joint resolution failed to pass for want of a constitutional majority.

Mr. Rudder, from the Committee on Fees and Salaries, submitted the following report:

Mr. Speaker:

The Committee on Fees and Salaries, to whom House bill No. 382—an act relative to the salary of the Superintendent of Public Instruction, and providing the manner of paying the same—was referred, have had the same under consideration, and I am instructed to report the same back with the following amendment:

Strike out "three thousand dollars," in the first section, and insert "two thousand dollars," and when so amended the passage thereof is recommended.

Which report was concurred in, the amendment adopted, the bill so amended, read a second time and ordered to be engrossed.

Mr. Shirley, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary have had under consideration House bill No. 102, and report the same back with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee, to whom was referred House bill No. 411, having had the same under consideration, report the same back with the following amendments:

"Strike out section 1 and make the numbers of the remaining sections correspond with such change." And strike out after "to whom," in line 13, of section 2, the following words, viz., "and how much to each tenant the land were rented," and so amended recommend the passage of the bill.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Kimball presented the claim of Edwin May, architect, for $5,000 for services.

Which was referred to the Committee on Claims.

Mr. Mellett, Chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 244, having had the same under consideration, report the same back with the following amendments, viz:

Strike out that part of the bill which follows the title and enacting clause, and also the following closing words of the enacting

clause, "which reads as follows," and read in lieu thereof "as follows:" that section 10 be amended to read as follows, to-wit:

SECTION 10. The trustees shall take charge of the educational affairs of their respective townships, towns and cities, employ teachers, and shall establish and locate conveniently a sufficient number of schools for the education of the white children, and build or otherwise provide suitable house, furniture, apparatus and other articles and educational appliances necessary for the thorough organization and efficient management of said schools; *provided however*, that the trustees shall not maintain a school at any school house where the average attendance of scholars is less than fifteen, unless the scholars of said school cannot be accommodated in any other school in the township or adjoining township not more than two miles from their homes by a practicable route; and the township trustees are hereby authorized and empowered to consolidate two or more districts into one. They may also establish graded schools or such modification of them as may be practicable, and provide for promotion in the higher department of the graded schools from the primiary schools of their townships, such pupils as are sufficiently advanced for such admission. They shall have the care and management of all property, real and personal, belonging to their respective corporations for common school purposes, except the congressional township school lands, which lands shall be under the care and management of the trustee of said township to which such lands belong, and two or more trustees of adjoining townships may in their discretion for the better accommodation of the children of their townships erect and own jointly any house for school purposes on such terms as may be equitable and just.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

On motion of Mr. Dial, House bill No. 435 was withdrawn from the Committee on the Judiciary, and said bill was referred to the Committee on Ways and Means.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have

examined Enrolled House bill No. 27, entitled, "An act relating to interest on judgments," and find the same correctly enrolled.

Also, House bill No. 211, entitled, "An act supplemental to an act entitled, 'An act to establish a Female Prison and Reformatory Institute for Girls and Women, &c.,'" and find the same correctly enrolled.

On motion of Mr. Blocher the House adjourned until Monday next at 2 o'clock.

W. K. EDWARDS, Speaker.

MONDAY AFTERNOON.

FEBRUARY 3, 1873, 2 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Elder James Rudder, member from the county of Washington.

The journal of Saturday was read and approved.

The Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have compared House bills Nos. 354, 339, 408, 186, 360, 391, 376, 353, 384, 412, 390, 323 and 316 with the original copies, and find them in all respects properly engrossed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the following resolution of the House, to-wit:

WHEREAS, The Governor in his late message to the General Assembly at the late extra session thereof, recommended, that further provisions be made for the care and treatment of insane persons within the State, and that the State should be divided into three hospital districts, viz: a Central, a Northern and a Southern; therefore, be it

Resolved by the House, the Senate concurring, That the Committee on Benevolent Institutions of the two Houses be instructed to prepare plans for buildings, necessary to carrying out said recommendation with the estimated cost thereof, and also prepare and report a bill, deviding the State into districts and providing for the erection of said buildings and the government of the same, with the following amendments, to-wit:

Strike out all after the word "to," in line two and page two, and in lieu thereof, insert the following: "inquire and report the amount that should be appropriated to build additional buildings for the insane, and also report where such additional buildings should be erected and all other matters pertaining thereto, and report by bill or otherwise, in which the concurrence of the House is respectfully requested.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled acts to-wit:

Enrolled act of the House No. 219, entitled, "An act regulating interests on judgements."

Also, Enrolled Act of the House No. 211, entitled "An act supplemental to an act to establish a Female Prison and Reformatory Institution for Girls and Women, and to provide for the organization and government thereof, and making appropriation," approved May 13, 1869.

And the same has been delivered to the Joint Committee on Enrolled Bills, in compliance with the joint rules.

Mr. Givan, from the Committee on Education, submitted the following report:

Mr. Speaker:

Your Committee on Education, to whom was referred House bill No. 285, entitled "An act for the encouragement of, organization and perpetuity of reading rooms, lecture and library associations made by working men, authorizing gifts or devises by will or otherwise, and authorizing the Board of Commissioners to make limited donations under certain circumstances, if in their discretion the same is proper and necessary," have had the same under consideration and report the same back to the House, with the recommendation that the same lie upon the table.

Which report was concurred in and the bill laid on the table.

Mr. Givan, from the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 365, entitled "An act to amend an act entitled 'An act to establish public libraries,'" approved February 16, 1852, have had the same under consideration, and report the same back with the recommendation that it pass.

Which report was concurred in and the bill read a second time and ordered to be engrossed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 403, entitled "An act prohibiting plank, Macadamized or gravel road companies from taking toll from any person going to church or Sunday-school on the Sabbath day, commonly called Sunday, on any such road, and providing a penalty for a violation of the same," having had the same under consideration, have directed me to report it back with the recommendation that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture, to whom was referred certain resolutions from the State Board of Agriculture, have had the same under consideration, and request me to return the said resolutions and ask that they be read for the information of the House.

Which report was concurred in and the resolutions read for the information of the House.

Mr. Jones, from the Committee on Benevolent Institutions, submitted the following report:

Mr. Speaker:

Your Committee on Benevolent Institutions, to whom was referred the bill for the erection of a State Inebriate Asylum, having had the same under consideration, beg leave to report the bill back to the House without recommendation.

Which report was concurred in.

On motion said bill was laid on the table and made a special order for Thursday next at 2 o'clock p. m.

Mr. Kimball presented the claim of Barbour & Jacobs for legal services.

Which was referred to the Committee on Claims.

Mr. King, from the Committee on Benevolent Institutions, submitted the following report:

Mr. Speaker:

The Committee on Benevolent Institutions, to whom was referred House bill No. 103, beg leave to report the same back to the House, and recommend that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Cauthorn, from the Committee on Temperance, submitted the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred House bill No. 110, entitled "An act to prohibit persons under the age of twenty-one years from buying spirituous, vinous, malt and other intoxicating liquors, and prescribing penalties for the violation of the provisions of this act," have had the same under consideration, and recommend that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Cauthorn, from the Committee on Temperance, submitted the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred House bill No. 68, "An act to amend the seventh clause of section 22, of an act for the incorporation of towns, &c., approved January 11, 1852," have had the same under consideration, and recommend that the same be amended by striking from ONE, line *nine*, all thereof after 1852, and page 6, line 26, and, when so amended, recommend that the bill do pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and ordered to be engrossed.

Mr. Cobb, chairman of the Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills, report that they have carefully compared enrolled Senate bill No. 262, entitled "An act to change the time of holding the circuit court in Huntington county, Indiana," and enrolled Senate bill No. 2, entitled "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana," and find that the same are correctly enrolled.

Also, your Committee on Enrolled Bills report that on this 3d

day of February, 1873, they presented to the Governor enrolled House bill No. 211, and also enrolled House bill No. 27, for his approval.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 415, entitled "An act to amend sections 24, 26, 36, 37 and 43 of an act entitled 'An act to repeal all general laws now in force for the incorporation of cities,' &c., approved March 14th, 1869," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred Senate bill No. 62, entitled "An act to amend the 1st, 2nd, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th sections of an act entitled 'An act to incorporate the town of Bluffton,' approved February 12th, 1851, and also to repeal section 11 of said act," have had the same under consideration, and recommend its passage.

Which report was concurred in.

On motion of Mr. McConnell, said bill was laid on the table.

Mr. Miller from the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

Your Committee on Cities and Towns, to whom was referred Senate bill No. 15, have had the same under consideration, and

direct me to report the same back to the House with the following amendments:

First, Amend the title by striking out the words "and declaring an emergency."

Second. Amend section three, page eleven, lines 10, 11 and 12, by striking out the words, "collected as other taxes of such city or town are collected," and insert in lieu thereof, the following: "assessed and collected as the taxes for State and county revenue are assessed and collected."

Third. Amend said sections, page 14, lines 6, 7 and 18, by striking out the following words: "and the same may be assessed, levied and collected by the proper officers of such city or town."

SECTION 4. All bonds issued, contracts made and debts created pursuant to the acts of March 11, 1869, and May 15, 1869, relating to the same subject as this, are hereby legalized and declared valid and the taxes to pay any such bonds, contracts or debts and the interests thereon, shall be assessed and collected in accordance with this act, and when so amended, that the same do pass.

Which report was concurred in, the amendments adopted and the bill read a second time.

Whereupon Mr. Henderson offered the following amendments: I move to amend by striking out the words "forty thousand" and insert "fifty thousand."

Which amendment was adopted, and the bill as amended ordered to be engrossed.

Mr. Ogden, chairman of the Committee on Corporations, submitted the following report:

MR. SPEAKER:

The Committee on Corporations, to whom was referred House bill No. 75, entitled, "An act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana," have had the same under consideration, and have directed me to report the same back to the House, with the recommenda-

tion, that it lie on the table, for the reason, that the principal features of said bill were incorporated in Senate bill No. 2, which passed the House at the present session.

Which report was concurred in and the bill laid on the table.

Mr. Peed introduced House bill No. 440—an act regulating the fees and salaries of prosecuting and district attorneys.

Which bill was read a first time and referred to the Committee on Fees and Salaries.

Mr. Whitworth presented a petition from sundry citizens of Posey county asking the passage of a law restraining domestic animals from running at large.

Which was referred to the Committee on Agriculture.

Mr. Brett presented a remonstrance from the members of the Daviess County Bar against the passage of a bill redistricting the State for judicial purposes.

Which was referred to the Select Committee on redistricting the State for judicial purposes.

Mr. Furnas offered the following resolution:

Whereas, We are informed that the Hutchinson family propose to give a free public entertainment with their popular Temperance Songs, in this Hall, therefore,

Resolved, That they are hereby invited to occupy this Hall for that purpose next Thursday evening, at half past seven o'clock.

Which resolution was adopted.

Mr. Woollen introduced House bill No. 441—a bill for an act to require an examination of transcripts on appeals to the Supreme Court.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Engrossed Senate bill No. 23, was taken up—an act to authorize the county commissioners of the several counties of this State

to appropriate money to aid in putting or keeping in repair any canal running in, through, or along any such county.

Which bill was read a first time, and referred to the Committee on Ways and Means.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled bills of the Senate, to-wit:

Enrolled Senate act No. 262—a bill to change the time of holding the Circuit Court in Huntington county, Indiana.

Also, Enrolled Senate act No. 2—an act to authorize and regulate the incorporation of banks of discount and deposit in the State of Indiana.

The Speaker announced that he had signed enrolled Senate act No. 262. Also, enrolled Senate act No. 2.

Engrossed Senate bill No. 16, was taken up—an act authorizing suits to be brought in the partnership name against individual partners, and declaring an emergency.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Engrossed Senate bill No. 50, was taken up—an act supplemental to the act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, so as to define the boundary between the counties of Washington and Clark.

Which bill was read a first time and laid on the table.

Senate bill No. 32, was taken up—an act to legalize the sale of seminary lands in Jasper county to Marion L. Spitler and Margaret Stackhouse, and directing how the proceeds of said sale shall be applied.

Which bill was read a first time and referred to the Committee on Swamp Lands.

Senate bill No. 37 was taken up—an act to amend section 47 of an act entitled "An act to provide for opening, vacating and change of highways," approved June 17, 1852.

Which bill was read a first time, and referred to the Committee on Roads.

The Speaker laid before the House the following communication from Senator D. D. Pratt:

UNITED STATES SENATE CHAMBER,
WASHINGTON, January 17, 1873.

To the Speaker of the House of Representatives, State of Indiana:

DEAR SIR:—I send you a copy of the act of Congress, approved the 11th inst., re-leasing to the State of Indiana the land known as the Bed of Beaver Lake, on the supposition that the General Assembly now in session may think it proper to take some action in the matter.

Yours respectfully,
D. D. PRATT.

Which communication was read and laid on the table.

Senate Joint Resolution No. 6 was taken up—a Joint Resolu- in relation to certain law books therein mentioned.

Which Joint Resolution was read and laid on the table.

Senate Joint Resolution No. 4 was taken up.

Which Joint Resolution was read and put upon its passage.

The question being, shall the Joint Resolution pass?

Those who voted in the affirmative were, Messrs. Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Hatch, Hedrick, Heller, Henderson, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Mc-

Connell, McKinney, Miller, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—66.

There being no quorum present, the Speaker declared the House adjourned until to-morrow at 9:30 o'clock a. m.

W. K. EDWARDS,
Speaker.

TUESDAY MORNING.

February 4, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. James Rudder, Representative from the county of Washington.

The journal of yesterday was read and approved.

Senate Joint Resolution No. 4, which failed to pass on yesterday for want of a quorum, was taken up, read, and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Blocher, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—79.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

On motion of Mr. McConnell, Senate bill No. 62 was taken from the table.

Mr. McConnell moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Blocher, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Goble, Gregory, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, North, Odle, Ogden, Peed, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—73.

Messrs. Butts and Miller voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barrett, Baxter, Billingsley, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glazebrook, Goble, Hatch, Heller, Hollingsworth, Isenhauer, Jones, Kimball, Lenfesty,

Martin, McConnell, McKinney, Mellett, North, Odle, Offut, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Anderson, Barker, Baker, Blocher, Branham, Butts, Dial, Durham, Gregory, Gronendyke, Hardesty, Hedrick, Henderson, King, Kirkpatrick, Miller, Ogden, Reno, Smith, Teeter, Troutman, Tulley, Wesner, Willson (of Ripley), and Wynn—25.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Cauthorn, House bill No. 399 was taken from the table, read by its title and referred to a select committee.

Mr. Peed, from the Committee on Ways and Means, by instruction of said committee, offered the following concurrent resolution:

Whereas, Several bills have been introduced in the House, providing for the erection of a new State House, and are now in the hands of the Committee on Ways and Means; and

Whereas, Said committee is desirious of testing the sense of this General Assembly, as to the propriety of building a new State House at this time; therefore, be it

Resolved by the General Assembly of the State of Indiana, That the Joint Committee on Public Buildings of the House and Senate be, and they are hereby directed, to prepare and report a bill for an act, providing for the erection of a new State House, in which the concurrence of the Senate is asked.

Which concurrent resolution was read.

Whereupon Mr. Woollen offered the following amendment:

And that the said bill provide for a special levy, beginning in 1874, and that the building shall not be begun until after the next regular meeting of the General Assembly.

Which amendment was not adopted.

Mr. Rumsey offered the following amendment:

Amend by laying on the table and making it the special order for Tuesday next at 2 o'clock p. m.

Which amendment was adopted.

Mr. Cauthorn, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 377, entitled "A bill declaratory of the law of this State as to the eligibility of women to certain offices therein named," have had the same under consideration and have instructed me to report the same back to the House, recommending that the bill do pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Cauthorn, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 226, entitled, "A bill for an act to amend section 453 of an act entitled, 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in this State, etc.,'" have had the same under consideration and have directed me to amend said bill by striking from the end of the first section the words "party or parties making the same, and collected as other costs are collected," and inserting in lieu thereof the following words, "execution defendant if the appraisement is reduced, otherwise against the execution plaintiff;" and when the bill is so amended, the committee recommend that the bill do pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 424, entitled, "An act to amend the 120th section of an act in relation to criminal pleading and practice," have had the same under consideration and have directed me to report the said bill back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 364, entitled, "An act concerning taxes voted in aid of railroad companies, and granting to the board of county commissioners certain powers in relation thereto," have had the same under consideration and have directed me to report the same back to the House with the recommendation that it lie on the table, as the subject of the same was embraced in House bill No. 297, which has passed and become a law.

Which report was concurred in and the bill laid on the table.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 431, entitled, "An act to amend the 24th section of an act entitled, 'An act regulating descents and the apportionment of estates," approved May 12, 1852, having had the same under consideration have directed me to report the same to the House with the recommendation that it be indefinitely postponed, as no legislation on the subject is needed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Miller from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 395—an act relating to the service of summons and publication of notice in civil actions, have had the same under consideration and directed me to report it back with the following amendments:

Amend section one, lines fifteen and sixteen by striking out the words "and attested," and amend said section by inserting after the words "married women," in line twenty-eight, the words "unless joined by their husbands;" and when so amended that it be passed.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 272—an act to regulate the sale of mineral oils and other substances for illuminating purposes, have had the same under consideration and directed me to report it back with the recommendation that it be referred to a select committee of five.

Which report was concurred in, said bill referred to a select committee of five.

Whereupon, the Speaker appointed the following named members as select committee viz.: Messrs. Hatch, Coffman, Richardson, Scott and Glazebrook.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House

bill No. 373, entitled, "An act providing for the trial of causes in the several courts of common pleas in cases, in which the judges of such courts are interested or related to either of the parties, or may have been counsel to any party in any cause pending in such court or otherwise disqualified, and repealing section ten of an act entitled, "An act to establish courts of common pleas and defining the jurisdiction and duties of and providing compensation for the judges thereof," have had the same under consideration, and have directed me to report the same back to the House, with the recommendation, that it lie upon the table.

Which report was concurred in and the bill laid on the table.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 419, entitled, "An act to amend section fifty-eight of an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases," approved June 9, 1852.

And also, to amend sections 6 and 7 of an act prescribing the powers and duties of justices of the peace in State prosecutions, approved May 29, 1852, have had the same under consideration, and report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Shiley, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Judiciary Committee have had under consideration House bill No. 161—an act to abolish Common Pleas Courts and to establish County Probate Courts—and report the same back with the recommendation that the bill be referred to the Joint Special Committee on Re-districting the State for Judicial purposes.

Which report was concurred in, and the bill referred to the Joint Committee on Re-districting the State for judicial purposes.

Mr. Shirley, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary have had under consideration House bill No. 380, and report the same back with the following amendment:

Add the following proviso to section first at the end of said section and after the word "jurisdiction:" "*Provided, however*, That no act or acts of such justices or marshals are in any manner hereby legalized that would have been legal had such acts been done and performed by a justice and constable duly elected and qualified," and when so amended they recommend that the same be passed.

Which report was concurred in, the amendment adopted, and the bill as amended read a second time and ordered to be engrossed.

Mr. Shirley, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary have had under consideration House bill No. 398, and report the same back with the recommendation that the same lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Shirley, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary have had under consideration House bill No. 420—an act to abolish the grand jury system—and report the same back with the recommendation that that the same lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education, to whom was referred House bill No. 87, having had the same under consideration, report the same back and recommend its passage.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Lenfesty, chairman of the Committee on Federal Relations, submitted the following report:

MR. SPEAKER:

The Committee on Federal Relations, to whom was referred a communication from His Excellency, submitting for consideration an act of Congress authorizing the erection of a public building at Evansville, Indiana, have had the same under consideration, and report back House bill No. 416, with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Lenfesty, chairman of the Committee on Federal Relations, submitted the following majority report:

MR. SPEAKER:

The Committee on Federal Relations to whom was referred House bill No. 369—"An act amending the fifth section of an act providing for the appointment of notaries public, and defining their powers and duties," approved June 9th, 1852, have had the same under consideration and directed me to report the same back to the House with the recommendation that it pass.

Mr. Troutman, from the Committee on Federal Relations, submitted the following minority report:

MR. SPEAKER:

The Committee on Federal Relations, to whom was referred House bill No. 369, entitled "An act amending the fifth section of an act providing for the appointment of notaries public, and defining their powers and duties," approved June 9, 1852, have had the

same under consideration and herewith present the following report on the part of the minority, to-wit:

Whereas, the obligation of matrimony is a sacred one, and in the opinion of the minority of your committee, should, as far as practicable, be solemnized by the clergy; and whereas, the law now makes ample provision in cases where a clergyman can not be obtained, therefore this minority respectfully recommend that said bill lay on the table.

The question being, shall the minority report be substituted for the majority report.

It was so ordered, and the report as amended was concurred in and the bill laid on the table.

Mr. Troutman, from the Committee on Federal Relations, submitted the following report:

Mr. Speaker:

The Committee on Federal Relations, to whom was referred Senate bill No. 82—"An act to amend section 9 of an act entitled an act to provide for electing electors for president and vice president of the United States," approved May 20th, 1852, and declaring an emergency, have had the same under consideration and directed me to report the same back with the recommendation that the same pass.

Which report was concurred in, the bill read a second time and passed to a third reading.

Mr. Billingsley, chairman of the Committee on Printing, submitted the following report on House bill No. 379, and substituting a bill in lieu thereof:

Mr. Speaker:

The Committee to whom was referred House bill No. 379, have considered the same and recommend that the bill lie on the table, and the following be substituted for said bill, and that the substitutes pass the House.

House bill No. 442 being a substitute for House bill No. 379—

"An act to provide for the publication of the allowances of the Board of County Commissioners."

Which report was concurred in, the original bill laid on the table, the substituted bill read a first time, and referred to the Committee on County and Township Business.

Mr. Woollen, chairman of the select committee, to whom was referred House bill No. 55, submitted the following report:

Mr. Speaker:

Your Special Committee of five to whom was referred House bill No. 55, entitled a bill to amend an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith and the fees for certain officers therein named, and for the establishment and regulation of township libraries and to repeal all laws inconsistent herewith, providing penalties therein prescribed," approved March 6th, 1865, and adding supplemental sections thereto, have carefully considered said bill, and by their instruction I herewith return the same to the House with the recommendation that all after the enacting clause thereof, be stricken out, and in place of the part so stricken out insert the following words:

Section 15 of the above entitled act be and the same is hereby repealed:

Sec. 2. That section 33 of said act be amended to read as follows, to-wit:

Sec. 33. The board of county commissioners for each county shall, at their June session in 1874, and triennially thereafter, appoint a county superintendent, who shall be a citizen and an experienced and successful teacher of such county, whose official term shall expire as soon as his successor is appointed and qualified, who, before entering upon the duties of his office, shall take and subscribe an oath that he will faithfully perform his duties as such officer according to law, which oath shall be filed with the county auditor; and shall execute a bond, with freehold surety, to the approval of the county auditor, in the penal sum of one thousand dollars, conditioned that he will faithfully discharge his duties

according to law, and faithfully account for and pay over to the proper persons all moneys which may come into his hands, by reason of such office; and thereupon the county auditor shall report the name and post office address of the person appointed to the Superintendent of Public Instruction: *Provided, however*, that such board of county commissioners shall have power to dismiss any county superintendent for immorality, incompetency, general neglect of duty, or for acting as agent for the sale of any text-books, school furniture or maps; but no county superintendent shall be dismissed without giving him written notice, under the hand and seal of the auditor, ten days before the first day of the term of the court of commissioners at which the cause is to be heard; and the said notice shall state the charges preferred against said superintendent, the character of the instrument in which they are preferred, whether petition, complaint, or other writing, and in the name of those preferring the same; and the duties required of the school examiner by this act shall hereafter be performed by the county superintendent.

Sec. 3. That section thirty-seven of said act be amended to read as follows, to-wit:

Sec. 37. The county superintendent shall hold at least one public examination each month in the year in his county, and in no case shall he grant a license upon a private examination, and all licenses granted by him, shall be limited to the county in which they are granted.

Sec. 4. That section thirty-nine of said act be amended to read as follows, to-wit:

Sec. 39. The county superintendent shall have the general superintendence of the schools of his county, he shall attend each township institute at least once in each year, when he shall preside at the same and conduct its exercises, he shall visit each school of the county at least once each year, and as much oftener as he may deem it necessary, for the purpose of increasing their usefulness, and elevate as far as practicable the poorer schools to the standard of the best; he shall encourage teacher's institutes and associations, and shall labor in every practicable way to elevate the standard of teaching and to improve the condition of the schools of the county. In all controversies of a general nature arising under the school

law, the opinion of the county superintendent shall first be sought. when an appeal may be taken to the State Superintendent a written statement of facts certified to by the county superintendent; he shall at all times carry out the orders and instructions of the State Board of Education and of the Superintendent of Public Instruction, and shall constitute the medium between the State Superintendent and the subordinate school officer, and the schools: *Provided* that city schools having a superintendent employed by their board, made at the request of said board, be exempt from the general superintendence authorized in this section.

SEC. 5. That section 43 of said act be amended to read as follows, to-wit:

SEC. 43. The county superintendent shall receive four dollars a day for every day actually employed in the discharge of the duties required by this act; but, before the county commissioners shall allow his per diem, the same shall be presented in a bill of account, stating in separate items the nature and amount of services rendered on each day for which he claims compensation, which bill of account shall be verified by affidavit, to the effect that the same, and each item thereof, is just and true. The county auditor shall draw his warrant on the county treasurer for the amount allowed by the board in favor of said superintendent, and the treasurer shall pay the said warrant out of the ordinary county revenue: *Provided, however*, That the said board of commissioners shall have power to determine the number of days in each year in which the county superintendent may labor in the performance of the duties required of him in visiting schools: *And provided further*, That the number of days so allowed in each year for visiting schools, shall not be less than the whole number of schools in such county over which such Superintendent has control, and he shall receive no perquisites whatever.

SEC. 6. The County Superintendent shall, at least once in each year, and as much oftener as he may deem proper, carefully examine the docket records and accounts of the clerk of the courts, county auditor, county commissioners, justices of the peace, prosecuting attorneys and mayors of cities, and see that all fines, forfeitures, unclaimed fees, liquor licenses and surplus dog tax are promptly collected, reported and paid over to the proper fund or

revenue. He shall see that the full amount of interest on school funds is paid and apportioned, and when there is a defect of interest on any school fund, or a loss of any school fund or revenue by the county, that proper warrants are issued for the reimbursement of the same.

SEC. 7. The official docket records and books of account of the clerk of the courts, county auditor, county commissioners, justice of the peace, prosecuting attorneys, mayors of cities, and township and school trustees, shall be opened at all times to the inspection of the county superintendent; and whenever he shall find that any of said officers have neglected or refused to collect and pay over interest, fines, forfeitures, license or other claims due the school funds and revenues of the State, or have misapplied the school funds or revenues in their possession, he shall be required to institute suit in the name of the State of Indiana for the recovery of the same for the benefit of the school fund or revenues, and make report of the same to the board of county commissioners, and to the State Superintendent.

SEC. 8. The county superintendent, and the trustees of the townships, and the school trustees of the towns and cities of the county, shall constitute a county board of education; said board shall meet semi-annually at the office of the county superintendent on the first days of May and September, unless the said days be Sunday; if so, on the day following. A majority of said trustees shall constitute a quorum. The county superintendent shall preside at the meeting of said board, and shall be allowed to vote on all questions as other members of the same are allowed to vote. Said board shall consider the general wants and needs of the schools and school property of which they have charge, and all matters pertaining to the purchase of school furniture, books, maps, charts, &c. The change of text books, except in cities, and the care and management of township libraries shall be determined by such board, and each township shall conform as nearly as practicable to its actions; but no text books adopted by the county board shall be changed within three years from the date of such adoption except by unanimous vote of all the members of such board.

SEC. 9. At least one Saturday in each month, during which the public schools may be in progress, shall be devoted to township institutes, or model schools for the improvement of teachers, and two

Saturdays may be so appropriated at the discretion of the township trustee of any township. Such institute shall be presided over by a teacher or other person designated by the trustee of the township. The township trustee shall specify in a written contract with each teacher that such teacher shall attend the full session of each institute contemplated herein, or forfeit one day's wages for every day's absence therefrom.

SEC. 10. All laws and parts of laws in conflict with this act be and the same are hereby repealed.

SEC. 11. Whereas, an emergency exists for the immediate taking effect of this act, and shall take effect and be in force from and after its passage.

Which report was concurred in, and the amendment adopted.

Whereupon Mr. Willson, of Ripley, offered the following amendment:

Amend section 1 by striking out the words "the board of county commissioners for each county shall at their June session in eighteen hundred and seventy-four," and inserting the following: "the township trustees of the several townships shall meet at the office of the county auditor of their respective counties on the first Monday in June, eighteen hundred and seventy-three"; also, after the word "thereafter" insert the word "and".

Which amendment was adopted.

Whereupon Mr. Glasgow offered the following amendment:

Amend by striking out the word "one" in the second line and substitute the word "twelve" therefor, and by striking out the words "month in the" in the third line.

Which amendment was not adopted.

Said bill as amended was then read a second time and ordered to be engrossed.

Mr. North, chairman of the Joint Committee on the State Library submitted the following report:

Mr Speaker:

The Committee on the State Library, to whom was referred a resolution of the House instructing the Joint Committee on State Library to inquire into and examine the condition of the public library, of its books, papers, and stationary accounts, have instructed me to report said resolution back to the House, recommending that it be laid on the table, and that the accompanying concurrent resolution be passed by the House:

Resolved by the House of Representatives, the Senate concurring, That the Joint Standing Committee on the Public Library are herein instructed to inquire into and examine the condition of the public library of the State, its books, papers, and stationery accounts, and report by bill or otherwise.

Which report was concurred in.

Mr. Kimball, chairman of the select committee, submitted the following report:

Mr. Speaker:

The special committee of five, to whom was referred House bill No. 67, "A bill making appropriation of four hundred and thirteen thousand dollars and forty-eight cents to pay the claims of the sufferers by the Morgan raid," have had the same under consideration, and have instructed me to report the same back with the unanimous recommendation of said committee that the bill do pass.

Which report was concurred in, the bill read a second time, and referred to the Committee on Ways and Means.

Mr. Kimball offered the following resolution:

Joint resolution of instruction to the members of Congress in relation to granting aid to the James River and Kanawha Canal by the General Assembly of the State of Indiana.

Which resolution was read and referred to the Committee on Federal Relations.

On motion of Mr. Blocher, the House adjourned until this afternoon at 2 o'clock.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Gifford presented petitions from various citizens of Clay county, on the subject of temperance.

Which was referred to the Committee on Temperance.

On motion of Mr. Baker, House bill No. 361 was taken up and read a second time.

Mr. Baker moved, that the constitutional rule be suspended, the bill considered as engrossed and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Branham, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Dial, Ellsworth, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Prentiss, Reeves, Reno, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford), Wood, Woollen and Mr. Speaker—67.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Dial, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Grodendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell,

McKinney, Mellett, Miller, North, Odle, Offut, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Ramsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford), Wood, Woollen and Mr. Speaker—79.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Thereupon Mr. Cauthorn moved to strike out the words, "and declaring an emergency."

Which motion prevailed.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

On motion of Mr. Branham, Senate bills Nos. 6 and 115, and House bill No. 58, were taken from the table and referred to the Committee on Railroads.

Engrossed House bill No. 191 was taken up and read a third time.

Thereupon Mr. Miller offered the following amendment:

I move to strike out the word "feloniously," and insert "unlawfully," and strike out "felony" and insert "misdemeanor."

Which amendment was adopted by unanimous consent.

Which amendment was considered as engrossed and the bill put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole,

Cowgill, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Johnson, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offut, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—78.

Those who voted in the negative were, Messrs. Anderson, Henderson, King, Peed and Rumsey—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Johnson offered the following amendment:

I move to amend the title of said bill by striking out the words "felony" and "felonies," where the same occur, and insert the words "misdemeanor" or "misdemeanors" in lieu thereof, and by striking out the words "and declaring an emergency."

Which amendment was adopted.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

Mr. Kimball presented the claims of George W. Wrose for $235 for messenger of committee rooms, which was referred to the Committee on Claims.

Engrossed House bill No. 57 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Branham, Butterworth, Coffman, Furnas, Glasgow, Gronendyke, Hardesty,

Hedrick, Heller, Henderson, Hollingsworth, Jones, King, Lenfesty, Mellett, North, Odle, Ogden, Prentiss, Reeves, Stanley, Teeter, Thompson (of Spencer) and Mr. Speaker—24.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Brett, Broaddus, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glazebrook, Goble, Goudie, Gregory, Hatch, Hoyer, Isenhauer, Johnson, Kimball, Kirkpatrick, Martin, McConnell, McKinney, Miller, Offutt, Peed, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen and Wynn—64.

So the bill did not pass.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following joint resolution, to-wit:

Engrossed Senate Joint Resolution No. 10—a joint resolution authorizing legal proceedings in regard to the Calumut Dam—and the same is herewith transmitted to the House for its action thereon.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act, to-wit:

Enrolled Senate act No. 262, entitled—an act to change the time of holding the Circuit Court in Huntington county, Indiana.

Also, Enrolled act of the Senate No. 2, entitled—an act to authorize and regulate the incorporation of banks of discount and

deposit in the State of Indiana—and the same has been delivered to the Joint Committee on Enrolled Bills.

On motion, Senate Joint Resolution No. 10, was taken up.

Senate Joint Resolution No. 10—a joint resolution authorizing legal proceedings in regard to the Calumut Dam.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Blocher, Branham, Broaddus, Butterworth, Clark, Claypool, Cline, Coffman, Cobb, Cole, Dial, Edwards (of Lawrence), Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, North, Odle, Ogden, Peed, Prentiss, Reeves, Riggs, Rudder, Rumsey, Scott, Shutt, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—69.

Those who voted in the negative were, Messrs. Cauthorn, Durham, Heller, Lenfesty, Miller, Reno, Schmuck, Shirley, Smith, Tulley and Whitworth—12.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Engrossed House bill No. 341 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Branham, Broaddus, Butterworth, Clark, Cobb, Cole, Edwards (of Lawrence), Furnas, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick,

Henderson, Hollingsworth, Isenhauer, Jones, King, Kirkpatrick, Lenfesty, McConnell, Mellett, Miller, North, Odle, Offutt, Prentiss, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Barker, Cauthorn, Claypool, Coffman, Dial, Durham, Glasgow, Goudie, Hoyer, Kimball, McKinney, Peed, Reno, Schmuck, Shutt, Smith, Teeter and Tulley—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Lent was granted an indefinite leave of absence.

Engrossed House bill No. 189 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Clark, Claypool, Cobb, Cole, Dial, Ellsworth, Eward, Furnas, Gifford, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, North, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Whitworth, Woollen, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Cauthorn, Edwards (of Lawrence), Givan, Glasgow, Henderson, Lenfesty, Miller, Offutt, Reno, Tulley, Willard, Wilson (of Blackford), and Wood—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that this 4th day of February, 1873, they presented Senate enrolled act No. 2, entitled "An act to authorize and regulate the incorporation of banks, etc., etc."

Senate enrolled act No. 262, entitled "An act to change the time of holding the courts in Huntington county, Ind.," to the Governor for his approval.

Engrossed House bill No. 264 was taken up and read a third time.

Whereupon Mr. Glasgow offered the following amendment:

Refer to the Committee on Rights and Privileges, with instructions to repeal the section amended.

Which amendment was not adopted.

Thereupon Mr. Cobb offered the following amendment:

Re-commit with instructions to amend by striking out "convey" and insert "relinquish to the heirs to which said real estate would descend in case of her death."

Which, on motion of Mr. Kimball, was laid on the table.

On motion of Mr. Barrett, said bill was indefinitely postponed.

Engrossed house bill No. 313 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Branham, Canthorn, Claypool, Cline, Coffman, Cole, Dial, Ellsworth, Givan, Goble, Gregory,

Hedrick, Henderson, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Offutt, Peed, Reeves, Reno, Richardson, Rudder, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Willard, Wilson (of Blackford), Wood and Woollen—53.

Those who voted in the negative were, Messrs. Baker, Broaddus, Butterworth, Clark, Durham, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hollingsworth, Lenfesty, Miller, Odle, Ogden, Prentiss, Riggs, Rumsey, Satterwhite, Scott, Tingley, Thompson (of Elkhart), Walker, Wesner, Whitworth, Wynn and Mr. Speaker—32.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 201 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Branham, Brett, Broaddus, Butterworth, Clark, Claypool, Cobb, Coffman, Cole, Edwards (of Lawrence), Ellsworth, Eward, Givan, Goble, Goudie, Gregory, Hatch, Heller, Henderson, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, North, Odle, Ogden, Peed, Prentiss, Reeves, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Willard, Wilson (of Blackford), Wynn and Mr. Speaker—53.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Cauthorn, Cline, Dial, Durham, Furnas, Glasgow, Gronendyke, Hardesty, Hedrick, Isenhauer, Jones, McKinney, Mellett, Miller, Offutt, Reno, Richardson, Shirley, Shutt, Teeter, Tulley, Whitworth, Wood and Woollen—27.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Cobb offered the following amendment:

Moved to amend by striking out the emergency clause.

Which amendment was adopted.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

This Journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

WEDNESDAY MORNING.

FEBRUARY 5, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment with the Speaker in the chair.

Prayer was offered by the Rev. N. T. Butts, Representative from the county of Randolph.

The Journal of yesterday was read in part, when, on motion of Mr. Hollingsworth, the further reading of the same was dispensed with.

Mr. Branham, from the Committee on Benevolent Institutions, introduced House bill No. 443—an act making an appropriation to furnish books and other educational appliances to the blind of Indiana.

Which bill was read a first time and referred to the Committee on Benevolent Institutions.

Mr. Cauthorn presented the report of the Trustees of the Vincennes University:

To the Hon. T. A. Hendricks, Governor of the State of Indiana, and to the members of the Legislature of the State of Indiana.

In accordance with the requirements of the charter of the Vincennes University, we, the Trustees of said University, herewith respectfully submit the yearly report of the affairs of said University to your honorable body, for the year ending January 1, 1873:

There has been in attendance since the opening of the school, September 2d, 1872, an average of forty-seven scholars.

The following branches have been taught: Orthography, reading, writing, descriptive geography, physical geography, grammar, algebra, natural philosophy, physiology, Latin, German, English literature, geology, trigonometry and surveying.

The Board have employed at the salaries set opposite their names the following teachers:

S. Prugh, President, salary	$1,200 00
Miss S. V. Stewart, First Assistant	1,000 00
Miss Ray Peley, Second Assistant	550 00

To the chemical and philosophical apparatus there has been added during the year apparatus to the value of two hundred dollars.

The discipline of the school is very good and the progress of the scholars in their studies is excellent.

The State having paid off the bonds held by said University the funds derived therefrom (except so much as was needed to meet current expenses until the interest thereon becomes due) have been reinvested in bonds of the city of Vincennes and the county of Knox of this State.

There is now every prospect, with the present good corps of teachers, that the school will prove of great and lasting benefit to this part of the State.

Respectfully submitted,

H. T. ROSEMEND, Sec. V. U.

W. W. HITT, President.

Which report was referred to the Committee on Education.

Engrossed House bill No. 270 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley, Wood, Woollen, Wynn and Mr. Speaker—81.

Mr. Blocher voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 271, was taken up, read a third time, and put upon its passage.

The question being shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Groendyke, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woollen and Wynn—78.

Mr. Speaker voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

Engrossed House bill No. 282 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan Glasgow, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn, and Mr. Speaker—80.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

SPECIAL ORDER.

The special order being the consideration of House bill No. 303 and the amendments thereto proposed.

Mr. Baker moved to lay the amendments on the table.

The question being, shall the amendments be laid on the table ?

Whereupon Messrs. Glasgow and Tulley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Billingsley, Claypool, Cline, Coffman, Cole, Edwards (of Lawrence), Furnas, Gifford, Givan, Glazebrook, Gronendyke, Heller, Johnson, Kimball, King, Kirkpatrick, McKinney, North, Odle, Peed, Prentiss, Reno, Riggs,Schmuck, Smith, Thompson (of Spencer), Whitworth, Willard, Willson (of Ripley), Wood, Woollen, and Mr. Speaker—34.

Those who voted in the negative were, Messrs. Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Glasgow, Goble, Goudie, Gregory, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Lenfesty, Martin, McConnell, Mellett, Miller, Ogden, Reeves, Richardson, Rudder, Rumsey, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Wesner, Wilson (of Blackford) and Wynn—52.

So the amendments were not laid on the table.

The question being, shall $10,000 be stricken out.

Messrs. Reno and Richardson demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cobb, Cole, Crumpacker, Dial, Eaton, Ellsworth, Eward, Givan, Glasgow, Goble, Goudie, Gregory, Hardesty, Hatch, Henderson, Hollingsworth, Jones, Lenfesty, Martin, McConnell, Mellett Miller, Ogden, Reeves, Richardson, Rudder, Satterwhite, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Wesner, Wilson (of Blackford) and Wynn—49.

Those who voted in the negative were, Messrs. Baker, Barrett, Billingsley, Cauthorn, Clark, Claypool, Cline, Coffman, Durham, Edwards (of Lawrence), Furnas, Gifford, Glazebrook, Gronendyke, Hedrick, Heller, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, North, Odle, Peed, Prentiss, Reno, Riggs, Schmuck, Smith, Thayer, Thompson (of Spencer), Whitworth, Willard, Willson (of Ripley), Wood, Woollen and Mr. Speaker—39.

So the $10,000 was stricken out.

Whereupon Mr. Smith moved to fill said blank with $8,000.

Which motion prevailed.

The question being, shall $3,600 be stricken out?

It was so ordered.

On motion said blank was filled with $3,000.

Mr. Brett offered the following amendment:

Amend by striking out the words "annual appropriation" and insert the words "annual appropriation for two years."

Which amendment was adopted.

Mr. Walker offered the following amendment:

Strike out section 3, and insert the following lines therefor:

Section 3. An emergency exists for the immediate taking effect of this act, the same shall be in force from and after its passage.

Amend as follows—in the 18th line of section 1, after the word "payments" add the following, "commencing on the first day of January, 1873."

Which amendment was adopted, said bill was then considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Glazebrook, Goble, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Spellman, Thayer, Tingley, Thompson (of Spencer),

Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn, and Mr. Speaker—73.

Those who voted in the negative were Messrs. Blocher, Crumpacker, Dial, Eward, Glasgow, Richardson, Scott, Shutt, Stanley, Teeter, Thompson (of Elkhart), Troutman and Tulley—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following Joint Resolution of the House, to-wit:

Engrossed House Joint Resolution No. 15, entitled, "A Joint Resolution relative to the agreement between the States of Indiana and Ohio, on the subject of the Wabash and Erie Canal," and the same is herewith transmitted to the House.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof, the following resolution, to-wit:

Senate Joint Resolution No. 10, entitled "A Joint Resolution authorizing legal proceedings in regard to the Calumet Dam."

The Speaker announced that he had signed Senate Joint Resolution No. 10.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills, report that they have compared Enrolled Senate Joint Resolution No. 10, entitled "A Joint Resolution authorizing legal proceedings in regard to the Calumet Dam," and find that the same is correctly enrolled.

Mr. Furnas, from the Committee on Temperance, submitted the following report:

MR. SPEAKER:

Your Committee to whom Engrossed House Bill No. 327, was referred, have had the same under consideration, and have directed me to report the same back to the House with the following amendments, and when so amended, recommend its passage.

Amendments to House bill No. 327, entitled "An act to regulate the sale of intoxicating liquors, to provide against the evils resulting from any sale thereof, to furnish remedies for damages suffered by any person in consequence of such sale, prescribing penalties, to repeal all laws contravening the provisions of this act, and declaring an emergency."

In section 2, and line 20, strike out the word "districts" and insert the word "town."

Amend section 3 to read as follows:

SECTION 3. Before the granting of a permit by the Board of Commissioners, the applicant shall cause to be executed and properly acknowledged before an officer authorized to take acknowledgments of deeds, a bond, payable to the State of Indiana, in the sum of three thousand dollars, with good freehold security thereon of not less than two persons, to be approved by the Board of Commissioners, and conditioned for the payment of any and all fines, penalties and forfeitures, incurred by reason of the violation of any of the provisions of this act, and conditioned further, that the principal and sureties thereon named shall be jointly and severally liable, and shall pay to any person or persons any and all damages which shall in any manner be suffered by, or be inflicted upon any such person or persons, either in person or property or means of support, by reason of any sale or sales of intoxicating liquors to

any person by the person receiving such permit, or by any of his agents and employes, separate suits may be brought on said bond by the person or persons injured, but the aggregate amount recovered thereon shall not exceed the said sum of three thousand dollars, and in case the amount of said bond shall be exhausted by recovering thereon, a new bond shall be filed in the same penalty and with like sureties shall be filed within ten days, and in default thereof, said permit shall be deemed to be revoked. Such bond, after its approval by the board of commissioners, shall be filed in the office of the auditor of the county, and shall be recorded by such auditor forthwith in a book prepared for that purpose, and shall there remain for the use of the State of Indiana, and for the use of any person or persons suffering any damages as heretofore set forth; such bond may be sued and recovered upon in any court having civil jurisdiction in the county, (except justices of the peace), by or for the use of any person or persons, or their legal representatives, who may be injured or damaged by reason of any sale or sales of intoxicating liquors by the person receiving the permit, or by any of his agents or employes. The record of the bond, or a copy thereof, duly certified by such auditor, shall be admissible in evidence in any suit on such bond, and shall have the same force and effect as the original bond would have if offered in evidence.

In section 4 and line 6, strike out the word "district" and insert the word "town" and at the close of section 4, strike out the words "and be imprisoned in the county jail not less than twenty nor more than fifty days."

Strike out of the last three lines of section 5 the words "permit and render such person ineligible in future to receive a permit," and insert in lieu thereof the following words, "his permit and of all rights thereunder, and no permit shall thereafter be granted to such person before the expiration of five years from the date of such conviction."

In the last two lines of section 9 strike out the words "twenty nor more than fifty days," and insert "one day nor more than ten days, at the discretion of the court."

In section 10 strike out the words "after nine o'clock on any evening," and insert the words "between nine o'clock p. m., and six o'clock a. m." And at the close of section 10 strike out the

words "imprisoned in the county jail not less than ten nor more than thirty days," and insert the words "fined not less than five dollars nor more than twenty-five dollars for each sale made in violation of this section."

Strike out section 11 and insert the following:

"Sec. 11. The bartering or giving away of intoxicating liquors or other shift or device to evade the provisions of this act, by any person or persons keeping liquors for sale, or by his agent or employes, at the place where the same are kept for sale, shall be deemed and held to be an unlawful selling or giving away for the puropose of gain within the provisions of this act."

Amend sec. 12 by striking out the words "severally or," in line 33, by inserting after the words "exemplary damages," in line 38, the following: "*Provided, however*, That execution on any such judgment shall first be levied on the property of the person selling, bartering or giving away such liquors; and in the event of a failure or insufficiency of such property to satisfy the judgment, then of the property of the other defendants." And by adding at the close of section 12 the words, "All judgments recovered under the provisions of this act may be enforced without any relief or benefit from valuation or appraisement laws."

Immediately following section 12 add the following section:

"In all cases where husband, wife, parent, child, or guardian shall have a right of action, as provided in section 12 of this act, and shall fail or refuse to prosecute the same; and in all cases where such intoxicated person has neither husband, wife, parent, child, or guardian, the Township Trustee, or other officer having charge of the poor of the township where such intoxicated person resides, shall have a right of action as provided in said section 12, and it is hereby made the duty of such officer to prosecute all such actions in the name of such township. All money collected upon such judgments, after deducting therefrom the costs and charges against such township occasioned thereby, shall be paid by the Township Trustee, or other officer, into the treasury of the county for the benefit of the poor of such county, provided that the name of any husband, wife, parent, child, or guardian, upon proper petition therefor before final judgment, may be substituted for the name of the

township, but such person so substituted shall have no power to dismiss such action or compromise the same in any manner except by permission of the court."

In section 13, and lines 17, 18 and 19, strike out the words, "and be imprisoned in the jail of the county for not less than ten nor more than fifty days," and add at the close of section 13, the words, "and such order shall be a part of the judgment of convictions." Strike out all of section 14, except the following:

"SEC. 14. For the payments of all fines, costs and damages assessed or adjudged against any person or persons in consequence of the sale of intoxicating liquors, as provided for in this act, the real estate and personal property of such person or persons, of every kind, shall be liable, and such fines, costs and damages shall be in lien upon such real estate until paid." At the close of section 16, strike out the words, "and be imprisoned in the county jail not less than five nor more than thirty days." Strike out of section 17, the words, "and for any violation of the several sections of this act."

Which report was concurred in and the amendments adopted.

On motion of Mr. Furnas, said bill as amended was considered as engrossed, read a third time and put upon its passage.

Mr. Shirley moved a call of the House.

Which motion prevailed.

Those who answered to their names were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner,

Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—88.

On motion of Mr. Furnas, the further proceedings under the call were dispensed with.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Crumpacker, Durham, Eward, Furnas, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Rudder, Rumsey, Satterwhite, Scott, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Troutman, Walker, Wesner, Wilson (of Blackford), Wood and Wynn—53.

Those who voted in the negative were, Messrs. Baker, Barker, Barrett, Blocher, Cauthorn, Claypool, Cline, Coffman, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan Goble, Gregory, Heller, Henderson, Hoyer, Isenhauer, Jones, McKinney, Peed, Reno, Richardson, Riggs, Schmuck, Shirley, Smith, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Whitworth, Willard, Woollen and Mr. Speaker—36.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Mr. Butts moved to reconsider the vote just taken on the passage of House bill No. 327.

Mr. Walker moved to lay the motion to reconsider on the table

Which motion prevailed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

H. J.—23

Engrossed Senate bill No. 4, entitled " A bill to provide for the assessment and collection of taxes for municipal purposes, on the shares of stock owners in banks and banking associations, doing business in this State," and the same is herewith transmitted to the House of Representatives for its action thereon.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AETERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Baker moved a call of the House.

Which motion prevailed.

Those who answered to their names were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Lenfesty, Martin, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—81.

On motion, the absent members were sent for and further proceedings under the call, were dispensed with.

The following message was received from the Senate by the Secretary thereof :

Mr. Speaker :

I am directed by the President of the Senate to inform the

House of Representatives, that he has signed the following joint resolution, to-wit

Enrolled Senate Joint Resolution No. 10, entitled, "A Joint Resolution authorizing legal proceedings in regard to the Calumet Dam," and the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the joint rules.

Engrossed House bill No. 236 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Butts, Cauthorn, Coffman, Eaton, Ellsworth, Eward, Glasgow, Goble, Goudie, Gregory, Gronendyke, Hedrick, Heller, Henderson, Isenhauer, Kimball, Lenfesty, Martin, Mellett, Miller, Odle, Ogden, Peed, Prentiss, Reeves, Rumsey, Satterwhite, Schmuck, Shutt, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—52.

Those who voted in the negative were, Messrs. Barker, Barrett, Butterworth, Clark, Claypool, Cobb, Crumpacker, Dial, Durham, Edwards (of Lawrence), Furnas, Gifford, Givan, Glazebrook, Hardesty, Hatch, Hollingsworth, Hoyer, Jones, King, McKinney, North, Reno, Richardson, Riggs, Scott, Shirley, Smith and Spellman—29.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have this 5th day of February, 1873, presented to the Governor Senate

Joint Resolution No. 10, entitled "A joint resolution authorizing legal proceedings in regard to the Calumet Dam."

Engrossed House bill No. 266 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barrett, Baxter, Billingsley, Branham, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Gifford, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Martin, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—70.

Those who voted in the negative were, Messrs. Anderson, Baker, Blocher, Edwards (of Lawrence), Givan, Glasgow, Glazebrook, Lenfesty and Tulley—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 287 was taken up and read a third time.

Whereupon Mr. Miller offered the following motion:

I move to refer House bill No. 287, back to the Committee on Organization of Courts, with instructions to inquire if the same nterferes with the terms of said court in the county of Rush.

Which motion prevailed, and the bill referred with said instructions.

Engrossed House bill No. 289 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Butts, Claypool, Edwards (of Lawrence), Gronendyke, Hardesty, Hatch, Johnson, Kirkpatrick, Mellett, Ogden, Shutt, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Wesner, Wood Woollen and Wynn—22.

Those who voted in the negative were, Messrs. Baker, Barker, Barrett, Blocher, Brett, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Crumpacker, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Peed, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Smith, Spellman, Stanley, Thompson (of Spencer), Walker, Whitworth, Willard, Wilson (of Blackford), and Mr. Speaker—52.

So the bill failed to pass.

Engrossed House bill No. 310 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McKinney, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—76.

Messrs. Durham and Tulley voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 311 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hoyer, Isenhauer, Johnson, Jones, King, Kirkpatrick, Lenfesty, Martin, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker —72.

Mr. Tulley voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Branham introduced House Joint Resolution No. 18—a joint resolution declaratory of the first section of an act, approved February 3, 1873, entitled, "An act supplemental to an act, to establish a Female Prison and Reformatory Institution for Girls and Women, and to provide for the organization and government thereof, and making appropriations, approved May 13, 1869.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Branham, Brett, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Isenhauer, Johnson, Jones, King, Kirkpatrick, Martin, McConnell, McKinney, Miller, North, Odle, Peed, Prentiss, Reeves, Riggs, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—68.

Messrs. Blocher and Coffman voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution ?

It was so ordered.

By consent of the House, Mr. Schmuck introduced House bill No. 444—an act relating to the sale and conveyance of the property heretofore owned and occupied as a county jail, county seat and court house of Perry county, situated at the town of Rome in said Perry county, State of Indiana.

Which bill was read a first time.

Mr. Schmuck moved, that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Cauthorn, Clark, Claypool, Cline, Coffman, Dial, Durham, Eaton, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North,

Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—70.

Mr. Crumpacker voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth. Hoyer, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Rumsey, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—72.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 168 was taken up, and, on motion of Mr. Brett, recommitted to the Committee on Ways and Means, with the following instructions:

Amend Senate bill No. 168 by striking out all after the enacting clause, including the amendments heretofore adopted by the House, and insert the following:

"That the Principal Secretary and Assistant Secretary of the Senate be authorized to appoint, when the duties of their offices require it, one clerk each in addition to the number as now allowed by law.

"SEC. 2. That the Principal Secretary and Assistant Secretary of the Senate be authorized to appoint one page for their own use, if the business of their offices should require it.

"SEC. 3. That the Principal and Assistant Secretary, and the Reading Clerk of the Senate, and Principal, Assistant and Reading Clerk of the House be allowed the same pay as is now allowed by law to the members thereof.

"SEC. 4. Whereas an emergency exists for the immediate taking effect of this act, therefore the same shall be in force from and after its passage."

Engrossed House bill No. 319 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Branham, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Reno, Riggs, Rumsey, Schmuck, Scott, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills would report that they have compared Senate Joint Resolution No. 4, entitled "A joint resolution authorizing the sale of personal property therein mentioned," with the engrossed copy and find the same correctly enrolled.

Engrossed House bill No. 288 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baxter, Clark, Coffman, Crumpacker, Furnas, Goble, Gronendyke, Hatch, Henderson, Hollingsworth, Kimball, Mellett, North, Odle, Ogden, Richardson, Riggs, Schmuck, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), and Whitworth—24.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Branham, Butterworth, Butts, Cauthorn, Claypool, Cline, Cobb, Dial, Eaton, Edwards (of Lawrence), Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Hedrick, Hoyer, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, Peed, Prentiss, Reeves, Reno, Rumsey, Scott, Smith, Spellman, Troutman, Tulley, Wesner, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker —49.

So the bill failed to pass.

Engrossed House bill No. 368 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble.

Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Scott, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—77.

Mr. Smith voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Pfrimmer was granted an indefinite leave of absence.

Engrossed House bill No. 354 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Miller, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Satterwhite, Schmuck, Scott, Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Woollen offered the following resolution:

Resolved, That the Speaker be authorized to draw his warrant for the per diem of the Special Committee on re-districting the State for judicial purposes, for their services during the vacation between the special and regular sessions.

The following is a statement of the days served by the different members of the Select Committee appointed at the Special Session on re-districting the State for judicial purposes:

J. W. Woollen	8 days.
W. D. Willson	7 days.
H. C. Cauthorn	3 days.
B. M. Cobb	7 days.
C. E. Cowgill	7 days.

February 5th, 1873. T. W. WOOLLEN, Chairman.

Which resolution was adopted.

On motion of Mr. Furnas, House bill No. 312, was ordered to be engrossed.

Mr. Richardson presented petitions from sundry citizens of Carroll county, asking for the passage of a law enabling counties to aid in maintaining the Wabash and Erie Canal.

Which were referred to the Committee on the Judiciary.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the Committee and found to be correct.

W. K. EDWARDS,
Speaker.

THURSDAY MORNING.

February 6, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Elder S. M. Houston, of Crawfordsville, Indiana.

The journal of yesterday was read in part, when, on motion of Mr. McConnell, the further reading of the same was dispensed with.

Mr. Blocher was granted leave of absence until Monday next.

Mr. Woodard desired that the journal of the House show that if he had been present when the vote on the passage of House bill No. 237 was taken he would have voted in the affirmative.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared House bills Nos. 68, 382, 55, 411, 416, 380, 244, 424, 377, 395, 365, 226 and 415 with the original copies, and find them in all things correctly engrossed.

Engrossed House bill No. 408 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Brett, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott,

Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—76.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 360 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Brett, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard Woollen, Wynn and Mr. Speaker—76.

Mr. Crumpacker voting in the negative.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

Engrossed House bill No. 186 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Brett, Broaddus, Butterworth, Cline, Cobb, Coffman, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, Mellett, North, Peed, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Shirley, Shutt, Stanley, Teeter, Tingley, Thompson (of Spencer), Tulley, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley) and Mr. Speaker—54.

Those who voted in the negative were, Messrs. Baker, Clark, Claypool, Givan, Gregory, Hardesty, Henderson, McKinney, Miller, Odle, Offutt, Ogden, Reno, Richardson, Scott, Smith, Spellman, Troutman, Walker, Wesner, Wood, Woollen and Wynn—23.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof, the following enrolled joint resolution, to-wit:

Enrolled Senate Joint Resolution No. 4, entitled, "A Joint Resolution authorizing the sale of certain personal property therein mentioned."

Also, I am directed by the Senate to inform the House, that the Senate has passed the following joint resolution, to-wit:

House Joint Resolution No. 18, entitled, "A Joint Resolution declaratory of the meaning of the first section of an act," approved February 3, 1873, entitled, "An act, supplemental to an act, to establish a Female Reformatory Institution for Girls and Women.

And the same is herewith returned to the House.

Also, I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following House bill, to-wit :

Engrossed House bill No. 71, entitled, a bill to amend section sixty, of an act entitled, " An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same and to regulate such other matters as properly pertain thereto, approved March 14, 1867, with the accompanying engrossed amendments, in which the concurrence of the House is respectfully requested.

On motion of Mr. Reno, House bill No. 434 was taken up, read a third time and ordered to be engrossed.

Mr. Cowgill being absent, when the vote was taken on the passage of House bill No. 237, desired that the journal show, that if he had been present, he would have voted in the affirmative.

Engrossed House bill No. 390 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Branham, Barrett, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Offutt, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley, Wood, Woodard, Woollen, Wynn and Mr. Speaker—82.

Mr. King voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker announced that he had signed Senate Enrolled Joint Resolution No. 4.

Engrossed House bill No. 316 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Butterworth, Cole, Crumpacker, Ellsworth, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Hoyer, Johnson, Jones, Kimball, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Offutt, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shutt, Stanley, Thayer, Thompson (of Elkhart), Tingley, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—50.

Those who voted in the negative were, Messrs. Barker, Branham, Brett, Broaddus, Cauthorn, Clark, Cobb, Coffman, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Henderson, Hollingsworth, Isenhauer, King, Lenfesty, Martin, Odle, Ogden, Peed, Prentiss, Reno, Rudder, Scott, Shirley, Smith, Spellman, Teeter, Thompson (of Elkhart), Troutman, Tulley and Whitworth—35.

So the bill failed to pass for want of a constitutional majority.

Engrossed House bill No. 376 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Coffman, Cole, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Glazebrook, Goble, Hedrick, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, North, Prentiss, Reeves, Reno, Rudder, Schmuck, Shutt, Smith, Teeter, Thayer, Thompson (of Spencer), Tingley, Whitworth Wil-

lard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Cauthorn, Givan, Glasgow, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Henderson, Kimball, Lenfesty, Miller, Odle, Offutt, Ogden, Peed, Richardson, Riggs, Rumsey, Satterwhite, Scott, Shirley, Spellman, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Woollen and Wynn—30.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon on motion, the words "and repeal all laws in conflict therewith," were stricken out.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 353 was taken up.

Whereupon Mr. Scott offered the following amendment:

Strike out the tenth section from the enacting clause, and insert the following: That no township trustee shall have the power to levy a tax for road purposes upon the real or personal property, lying and being within the incorporated limits of any town or city.

Which amendment was adopted by unaminous consent.

Said bill was then read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barrett, Billingsley, Branham, Brett, Clark, Claypool, Cobb, Coffman, Crumpacker, Dial, Ellsworth, Eward, Gifford, Gregory, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, McKinney, Mellett, North, Odle, Ogden, Peed, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Smith, Thayer, Tingley, Thompson (of

Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard; Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—55.

Those who voted in the negative were, Messrs. Anderson, Baker, Broaddus, Butterworth, Butts, Cauthorn, Cole, Durham, Eaton, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Johnson, Martin, McConnell, Miller, Offutt, Reno, Richardson, Shutt, Spellman, Stanley, Teeter, Woodard and Wynn—28.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Scott offered the following amendment:

Strike out title and insert: A bill to prohibit township trustees from levying a road tax upon real or personal property in incorporated towns or cities.

Which amendment was adopted.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 384 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Goble, Gregory, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Lenfesty, McConnell, McKinney, Mellett, Odle, Offutt, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—61.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Cauthorn, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Isenhauer, Kimball, King, Martin, Miller, North, Tingley, Wesner and Wynn—22.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report as follows: We have carefully compared enrolled House Joint Resolution No. 18, entitled "A joint resolution declaratory of the meaning of the first section of an act approved February 3, 1873, entitled 'an act supplemental to an act to establish a female prison,'" etc.; also enrolled Joint Resolution No. 15, entitled "A joint resolution relative to the agreement between the States of Indiana and Ohio, on the subject of the Wabash and Erie Canal," with the engrossed copy, and find the same correctly enrolled.

The Speaker announced that he had signed enrolled House Joint Resolution No. 18; also enrolled House Joint Resolution No. 15.

Engrossed House bill No. 339 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie Gregory, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs,

Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—86.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 391 was taken up, read a third time, and, on motion, laid on the table.

Engrossed House bill No. 55 was taken up, read a third time, pending the consideration of which,

On motion of Mr. Gifford, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The special order being the consideration of House bill No. 407, said bill was taken up, and, on motion of Mr. Cauthorn, laid on the table.

Engrossed House bill No. 55, pending the consideration of which the House adjourned this a. m., was taken up.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Billingsley, Butterworth, Butts, Cauthorn, Clark, Cline, Cole, Cowgill, Edwards (of Lawrence), Furnas, Givan, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Mellett, Mil-

ler, North, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Stanley, Thayer, Thompson (of Spencer), Troutman, Tulley, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Gifford, Gronendyke, Heller, Henderson, Hoyer, Isenhauer, Martin, McConnell, McKinney, Odle, Offutt, Ogden, Reno, Schmuck, Smith, Spellman, Teeter, Thompson (of Elkhart), Tingley, Walker, Wesner, Whitworth, Willard and Woodard—40.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey :

Mr. Speaker:

By direction of the Governor I have the honor to respectfully inform the House that His Excellency has approved and signed Enrolled act No. 211, entitled " An act supplemental to an act entitled an act to establish a Female Prison and Reformatory Institution for Girls and Women, and to provide for the organization and government thereof, and making appropriations," approved May 13, 1869.

Also, enrolled act No. 27, entitled, " An act regulating interest on judgements."

Also, joint resolution No. 11, entitled, " A Joint Resolution directing a settlement with the State Printer."

Also, joint resolution No. 12, entitled, " A Joint Resolution in relation to giving notice to the electors of the State of Indiana, of the submission to the same for their adoption or rejection the proposed amendment to the Constitution of Indiana, in relation to the

debt charged upon the Wabash and Erie Canal," and that he has caused each of the same to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House, that he has signed the following joint resolutions, to-wit:

Enrolled Senate Joint Resolution No. 4, entitled, "A Joint Resolution authorizing the sale of certain personal property therein named.

Enrolled House Joint Resolution No. 18, entitled, "A Joint Resolution declaratory of the meaning of the first section, of an act approved February 3, 1873, entitled, 'An act, supplemental to an act, to establish a Female Prison and Reformatory Institution for Girls and Woman, and to provide for the organization and government thereof and making appropriations,'" approved May 13, 1869.

Enrolled House Joint Resolution No. 15, entitled, "A Joint Resolution relative to the agreement between the States of Indiana and Ohio, on the subject of the Wabash and Erie canal." And the same has been delivered to the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills, report, that this 6th day of February, 1873, presented to the Governor, Senate Joint Resolution No. 4, entitled, "A Joint Resolution authorizing the sale of certain personal property, etc.

Also, House Joint Resolution No. 15, entitled, "A Joint Resolution in relation to the agreement between the States of Indiana and Ohio, on the subject of the Wabash and Erie Canal.

Also, House Joint Resolution, declaratory of the meaning of the first section of "An act, supplemental to an act, to establish a Female Prison etc., etc., for his approval or rejection."

Messrs Goble and Shutt were granted leave of absence, until Tuesday next.

Mr. Butts was granted leave, to withdraw all the petitions on the subject of temperance now in the hands of the Committee on Temperance, and to present the same to the Senate.

Messrs. Baker and Wood were granted leave of absence, until Tuesday next.

Mr. Kimball, from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom Senate bill No. 168 was referred, having had the same under consideration, report the bill back with amendments, and when thus amended, recommend its passage.

Amend Senate bill No. 168, by striking out all after the enacting clause, including the amendments heretofore adopted by the House, and insert the following: "That the Principal Secretary and the Assistant Secretary of the Senate be authorized to appoint, when the duties of their office require it, one clerk each in addition to the number as now allowed by the law."

Sec. 2. That the Principal Secretary and Assistant Secretary of the Senate be authorized to appoint one page for their own use, if the business of their office should require it.

Sec. 3. That the Principal and Assistant Secretary and the Reading Clerk of the Senate, and the Principal, Assistant and Reading Clerk of the House, be allowed the same pay as is now allowed by law to the members thereof.

Sec. 4. That the Committee of Ways and Means, Benevolent Institutions, and Public Buildings, be allowed one clerk for the three committees.

Sec. 5. Whereas an emergency exists for the immediate taking

effect of this act, therefore the same shall be in force from and after its passage.

Whereupon Mr. Jones moved to recommit with the following instructions:

Amend section two of Senate bill No. 168, so as to allow the elective officers of the Houses of the General Assembly the same pay as is now drawn by the members thereof, and the clerks appointed by them seven dollars per day, and the Assistant Doorkeepers, and appointees under the Doorkeeper, six dollars per day; and the Speaker of the House and the President of the Senate are hereby authorized to draw their warrants on the treasury for the several amounts remaining due to the said officers and appointees of the two Houses from the commencement of the present session.

Which motion did not prevail.

Mr. Edwards, of Lawrence, moved to recommit with the following instructions:

Resolved, That the bill be referred to a special committee of five with instructions to amend by adding such additional employes as, in their judgment, this House and the Senate actually need.

Mr. Walker moved to lay the motion to recommit on the table.

Which motion prevailed.

The question being, shall the report of the committee be concurred in, and the amendments adopted?

Pending which, on motion of Mr. Mellett, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS,
Speaker.

FRIDAY MORNING.

FEBRUARY 7, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. N. F. Clark, Representative from the county of Hamilton.

The journal of yesterday was read in part, when on motion of Mr. King, the further reading of the same was dispensed with.

Mr. Lent, member of the Committee on Benevolent Institutions, being absent by reason of sickness, the Speaker appointed Mr. Lenfesty to serve as member of said committee in the place of and during the absence of Mr. Lent.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred Senate Bill No. 23, have had the same under consideration, and herewith report the bill back to the House and recommend its passage.

Which report was concurred in, the bill read a second time and referred to the Committee on Canals.

Mr. Broaddus, chairman of the Committee on Engrossed Bills, submitted the following report:

MR. SPEAKER:

The Committee on Engrossed Bills have compared Engrossed House bill No. 87 with the original copy, and find the same in all things correctly engrossed.

Mr. Hatch, chairman of the Committee on Swamp Lands, submitted the following report:

MR. SPEAKER:

The Committee on Swamp Lands, to whom was referred Senate bill No. 32, have had the same under consideration, and have directed me to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time and passed to a third reading.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on claims, to whom was referred the claim of Napoleón B. Taylor, for services and advice in case of the State of Indiana, on the relation of Bayless W. Hanna, Attorney General, vs. John D. Evans and his sureties; same vs. Thomas B. McCarty; same vs. Nathan Kimball; same vs. John I. Morrison; same vs. Richard J. Bright; same vs. Lewis W. Hasselman et al.; ex rel. same and Shoemaker, Auditor, etc., vs. William R. Holloway; the same vs. Samuel M. Douglass, etc., have had the same under consideration, and direct me to report the same back to the House, with the recommendation that the claim be allowed.

Which report was passed over informally.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of Isaac N. Morris for one-third of the cost of printing 2,000 copies, in October, 1871, of his pamphlet entitled "two per cent. claim of Illinois, Indiana and Ohio, arising under the contracts between the Government of the United States and said States," have had the same under consideration, and I am directed to report the same back to the House with the recommendation that it be allowed.

Which report was concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 100, entitled—a bill to amend sections 352 and 354 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Also, Senate Joint Resolution No. 8, entitled—a joint resolution in relation to the cancellation of certain bonds of the State therein named.

Also, Engrossed Senate bill No. 69—a bill authorizing and empowering cities incorporated under any general law of this State for the incorporation of cities, and owning real estate, to sell and convey the same, in whole or in parcel, as the common council of such city or cities may deem expedient, prescribing in what manner the same may be conveyed, and declaring an emergency.

Also, Engrossed Senate bill No. 74—a bill to legalize the acts and proceedings of boards of county commissioners in certain cases, and declaring an emergency.

Also, Engrossed Senate bill No. 77—a bill to amend section 447 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852, and declaring an emergency.

Also, Engrossed Senate bill No. 103—a bill to amend section 78 of an act entitled "An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and to establish township libraries and for the regulation thereof.

Also, Engrossed Senate bill No. 106—a bill to prescribe the qualifications of petit jurors in the several courts of this State.

Also, Engrossed Senate bill No. 140—a bill to amend section 3 and repeal section 4 of an act entitled "An act prescribing who may make a will, the effect thereof, what may be devised, regulating the revocation, admission to probate and contest thereof," approved May 31, 1852.

Also, engrossed Senate bill No. 99—a bill to authorize sureties upon notes, bills, bonds or other instruments in writing, who have been compelled to pay the same for their principal, to collect of such principals, interest on amount paid by such sureties at the rate provided for in such original notes, bills, bonds or other instruments in writing, held against such principals.

Also, engrossed Senate bill No. 93—a bill to encourage manufacturing in the State of Indiana, and allowing and legalizing conveyances of real estate by and to foreign manufacturing companies, and declaring an emergency.

Also, I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the following resolution of the House, to-wit:

Resolved by the House of Representatives, the Senate concurring therein, That this General Assembly has viewed with pleasure the wise, beneficent and humane policy of the President of the United States towards the different Indian tribes, as is shown by his endeavors to place these wards of the nation under the care of the various religious denominations of the country, and, also in his endeavors to confine the tribes to and upon their reservations, as well as to protect them from the encroachments of citizens and traders, according to treaty stipulations.

Also, that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House concurring, That the State Geologist with the advice of the Governor, and a committee of three on the part of the Senate, consisting of the Senator from Vermillion, the Senator from Warrick and the Senator from St.

Joseph, with a like committee to be appointed on the part of the House be, and are hereby directed, to collect and arrange and label specimens of the coals, stones, ores and minerals; also, of the grains grown in this State, for the purpose of forwarding such specimens to the world's exposition to be held in Vienna, by the ship provided by the United States and now in the harbor of New York, and such committee is directed to report to the General Assembly the probable cost of such collection and the proper display of the same, and any other matters for the information of the General Assembly relative to the subject. In which the concurrence of the House is respectfully requested.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No, 406, entitled, "An act, supplemental to an act, entitled, 'An act concerning enclosures, tresspassing animals and partition fences,'" approved June 4, 1852, have considered the same, and have directed me to report it back with the recommendation, that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Isenhauer, from the Committee on Railroads, submitted the following report on House bill No. 300, and introducing a bill in lieu thereof:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 300, entitled, "An act supplemental to an act, to authorize aid to the construction of railroads by counties and townships taking stock in and donating aid to railroad companies," approved May 12, 1869, have had the same under consideration, and direct that the same be reported back to the House, with the recommendation, that the accompanying bill be substituted, and when substituted, we recommend that the same pass, and that the original bill lay on the table.

House bill No. 445 being a bill substituted in lieu of House bill No. 300—an act to authorize aid to the construction of railroads by townships taking stock in and making donations to railroad companies.

Which report was concurred in, the original bill laid on the table, and the substituted bill read a first time, and on motion of Mr. Gronendyke laid on the table and 300 copies ordered to be printed for the use of the members of the House.

Mr. Thompson, of Elkhart, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 394, entitled, "An act to prevent fraud in the purchase of stationery for the use of counties, repealing all laws in conflict therewith, and declaring an emergency," have had the same under consideration, and recommend that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Claypool, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 430, an act entitled, "An act to amend section five and six of an act entitled, 'An act to authorize boards doing county business, to declare water courses navigable,'" approved May 31, 1852, have had the same under consideration, and have directed me to report the same back, with the following amendment:

In section 1, line 6, strike out "six" and insert "twelve," and when so amended recommend its passage.

Which report was concurred in, the amendment adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Gifford, chairman of the Commettee on Cities and Towns, submitted the following maojrity report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred House bill No. 389, entitled "An act to amend sections 4, 5, 24, 26, 35, 43 and 58 of an act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847, have instructed me to report the following amendments:

First. Amend by adding the following section immediately after section 7:

SEC. 8. The common council of said city shall, from and after the passage of this act, have the power to appoint the following city officers, to-wit: city clerk, city surveyor and assessors; such officers, before entering upon the discharge of their respective duties, shall take an oath of office and give a bond to the satisfaction of the common council, conditioned for the faithful performance of their respective duties as now required by law, and all laws and parts of laws inconsistant with the provisions of this act are hereby repealed.

Second. Amend by transposing the section which is now numbered 8, in the bill, by making it follow instead of precede the added section, and by changing its number from 8 to 9.

Third. Amend the title of the bill, by making it read as follows, to-wit: "An act to amend sections 4, 5, 24, 26, 35, 43 and 58 of an act entitled 'An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,'" approved January 27, 1849, and to add additional sections to said charter.

The committee recommend the adoption of the amendments, and after their adoption recommend the passage of the bill.

Mr. Willard, from the same committee, submitted the following minority report:

MR. SPEAKER:

The minority of the Committee of Cities and Towns, to whom was referred House bill No. 389, would report it back and recommend that it pass without amendment.

On motion of Mr. Willard, said bill and reports were laid on the table until Tuesday next.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 388, have instructed me to report that they have had said bill under consideration, and now report the same back with the recommendation that the bill pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Martin, from the Committee on Roads, submitted the following report:

Mr. Speaker:

Your Committee on Roads, to whom was referred Senate bill No. 37, being an act entitled—an act to amend section 47 of an act entitled "An act to provide for the opening and changing of highways," approved June 17, 1852, have had the same under consideration, and direct me to report said bill back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and passed to a third reading.

Mr. Isenhauer, from the Committee on Roads, submitted the following report:

Mr. Speaker:

The Committee on Roads, to whom was referred House bill No. 378—a bill proposing to authorize boards of county commissioners the right to purchase gravel roads for the purpose of making them free of toll—have had the same under consideration, and beg leave to recommend that the bill lay on the table.

Which report was concurred in and the bill laid on the table.

Mr. Baxter, chairman of the Reformatory Institutions, submitted the following report:

Mr. Speaker:

The Committee, to whom was referred House bill No. 401, entitled—an act to provide for Commissioners for an Asylum for Inebriates, and defining their duties—report it back with a recommendation that the words "one thousand," in line 3 of section 3, be stricken out, and the words "a sum not to exceed three hundred" inserted, and when so amended that the bill be put upon its passage.

Which report was concurred in, the amendment adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Baxter, offered the following resolution:

Resolved, That a standing committee of the House be appointed in the interest of mines and mining, to be called "a Committee on Mines and Mining."

Which resolution, by the rule of the House, was laid over for one day.

Mr. Hatch, chairman of the Special Committee, to whom was referred House bill No. 272, submitted the following report:

Mr. Speaker:

The Special Committee, to whom was referred House bill No. 272, entitled—an act to regulate the sale of mineral oils and other substances for illuminating purposes—have had the same under consideration, and offer the following amendments, to-wit:

Amend line 3, section 6, by striking out the word "hereafter," and inserting the word "hereby."

Amend line 2, section 7, by striking out the word "village," and insert the word "town."

And when so amended the committee recommend that the bill pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

The following message was received from the Governor by his private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor I have the honor to lay before the House a communication and accompanying papers relative to the United States standard of weights and measures furnished and to be furnished this State, and the building required for their reception and preservation.

SAMUEL R. DOWNEY,
Private Secretary.

Executive Department,
Indianapolis, February 7, 1873.

Gentlemen of the House of Representatives:

I respectfully submit for your consideration, a communication from Hon. John Coburn, member of Congress, transmitting to me a letter and other papers from Prof. J. E. Hilgard of the Coast Survey Office, relative to the United States standard of weights and measures furnished, and to be furnished this State, and the fire proof building required for their reception.

THOMAS A. HENDRICKS,
Governor.

Washington, D. C., February 3, 1873.

Hon. Thomas A. Hendricks,

Dear Sir:—Inclosed, please find a letter from Professor Hilgard of the Coast Survey Office, who has in readiness for our State the articles described within. Our State ought to build a small fire proof building for their reception and use; the measures and balances are very beautiful and seem almost perfect. The Legislature being in session, no doubt a small appropriation can be had for the purpose of erecting a building, a plan of which he at my request has kindly furnished. We ought to have some where in our State, standards of weights, and measures and balances of great accuracy. These are furnished us and the neglect in not receiving and providing a room for them thus far, seems almost unpardonable.

Yours truly,

JOHN COBURN.

TREASURY DEPARTMENT,
OFFICE OF U. S. WEIGHTS AND MEASURES,
WASHINGTON, D. C., Febr. 3, 1873.

Hon. John Coburn, House of Representatives:

DEAR SIR:—I inclose herewith a copy of a circular to Governors of States, relative to the U. S. standard of weights and measures, together with a description of the fire proof building required for their reception. Copies of these papers were sent to the Governor of Indiana, March 7, 1871. I would also call your attention to the fact, that the weights and capacity measures were furnished to Indiana in October, 1847. The standard yard and balances remain in this office, ready for delivery.

Yours respectfully,

J. E. HILGARD,
Assistant Supt. of Weights and Measures.

OFFICE OF U. S. WEIGHTS AND MEASURES,
WASHINGTON, D. C., 1873.

Sir:—I have the honor to inform you that a set of standard weights and capacity measures, as well as two balances, intended for the adjustment copies of the same, furnished to your State under act of Congress, are now ready for delivery. The set also includes a standard yard. I would respectfully ask your directions as to the time and place of delivery, and as to the person who may be duly authorized to receive them.

The standards consist, 1st of a set of weights from 50 lb. to 1 lb. Avoirdupois and 1 lb. Troy; a set of Avoirdupois ounce weights from 8 oz. to .0001 oz., and a set of Troy ounce weights from 10 oz. to .0001 oz.; 2d, one standard yard; 3d, a set of liquid capacity measures, comprising gallon, half-gallon, quart, pint and half-pint 4th, a standard half-bushel.

The two balances are of different sizes, intended respectively for the adjustment of the heavier and lighter weights, or of the larger and smaller capacity measures. I append a drawing and description of a small building which would be appropriate for the preservation and use of these standards, and would respectfully recommend that such a one be provided for these elaborate and costly articles. They should at least be preserved in a fire-proof building and placed upon a very firm floor.

It would be desirable that they be put in charge of a scientific gentleman connected with some institution of learning in your State, and that the balances should only be used under his direction for the adjustment or verification of county or other standards.

The metric standard recently ordered by Congress for distribution among the States are in course of preparation, and I will do myself the honor to notify you when you are prepared to receive the standards and balances. It will be well to consider if it will not be advisable to let the person who is to have charge of them come to this office and become acquainted with their construction, manipulation and mode of packing, in place of sending a person from this office with them, whose expenses would equally have to be defrayed by your State.

By an answer addressed to me at this office, you will oblige,

Yours, very respectfully,

J. E. HILGARD.

Description of a Fire-Proof Building for Standard Weights and Measures.

The building should be fire-proof, with brick walls, brick or cement floor, and roof of galvanized iron. If the latter is too expensive the ceiling of the roof should be well plastered inside, and the outside covered with wired sheet iron.

The inside dimension of the building, which has but one room, and 15 by 20 feet, and the walls 10 feet high. See sketch. The floor should be raised above the level of the ground outside, which may be done by filling in with gravel and sand 8 or 10 inches, and then laying bricks on edge, or covering the gravel with a layer of concrete and cement.

The large balance will require a brick foundation of 20x68 inches, only slightly elevated above the floor. The small balance will be supported on a bracket in the wall. The boxes containing the weights and measures may be placed on tables, the space between the balances being assigned to the metric standards. The door may be to the east or west, as convenient, but the windows should be toward the north.

Mr. Peed introduced House bill No. 446—an act to repeal sec-

tion 55 of an act entitled "An act to amend an act to authorize and regulate the business of general banking," approved March 3, 1855.

Which bill was read a first time and referred to the Committee on Ways and Means.

On motion of Mr. Peed, House bill No. 110 was taken from the table and placed on the files.

Mr. Rudder presented a petition from the officers and attorneys of Washington county, asking for the passage of Senate bill No. 238, which was referred to the Select Committee on Re-districting the State for Judicial Purposes.

Mr. Whitworth introduced House bill No. 447—a bill to amend section 1 of an act entitled "An act in relation to the change of public highways,' approved March 11, 1867.

Which bill was read a first time.

Mr. Ellsworth introduced House bill No. 448—an act to enable township trustees to levy an additional special school tax for the purpose of completing school-houses.

Which bill was read a first time and referred to the Committee on Education.

Mr. Isenhauer introduced House bill No. 449—an act to amend section 443 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Spellman introduced House bill No. 450—an act supplemental to an act authorizing the assessment of lands for plank, Macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on

that subject approved March 11, 1867—the act aforesaid having been approved May 14, 1869—and repealing so much of said act as effects such companies not organized at the taking effect of this act.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Givan introduced House bill No. 451—an act concerning interest on money, and to provide for recoverment of usurious interest, and repealing all laws in conflict with this act.

Which bill was read a first time and referred to the Committee on Manufactures and Commerce.

Mr. Richardson introduced House bill No 452—an act supplemental to an act regulating general elections, and prescribing the duties of officers in relation thereto, approved June 7, 1852, and prescribing penalties for offences therein defined.

Which bill was read a first time and referred to the Committee on Elections.

Mr. Hatch introduced House bill No. 453—an act to legalize the incorporation of the town of Kentland, Newton county, Indiana, and the official acts of the several boards of trustees of said town, and all other officers of said corporation, under "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Hatch presented a petition from sundry citizens of White county, asking the regulation of freights on railroads.

Which was referred to the Committee on Railroads.

Mr. Hatch presented petitions from sundry county officers asking for the passage of House bill No. 347.

Which were referred to the Committee on Ways and Means.

Mr. Goudie introduced House bill No. 454—an act repealing an act entitled "An act providing for the protection of fish, and repealing all laws in conflict with the same, prescribing penalties for the violation thereof," approved February 22, 1871.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Miller introduced House bill No. 455—an act to provide for township elections.

Which bill was read a first time.

Mr. Gronendyke introduced House bill No. 456—a bill for an act to amend the charter of the town of Clinton, granting to the board of trustees of said town certain powers, and legalizing certain acts of said president and trustees of said town.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Brett introduced House bill No. 457—a bill providing for owners of lands on each side of any highway heretofore established or opened, running through one or more townships, to give one-half of such highway, and for altering or straightening such highway and the removal of fences and obstructions therefrom, and other purposes.

Which bill was read a first time and referred to the Committee on Roads.

On motion of Mr. Kimball, House bill No. 386 was taken from the table and referred to the Committee on Rights and Privileges.

Mr. Kimball presented a protest from sundry citizens against the passage of House bill No. 386.

Which was referred to the Committee on Rights and Privileges.

Mr. Ogden introduced House bill No. 458—a bill for an act to amend section 186 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a unifom

mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Johnson introduced House bill No. 460—a bill giving jurisdiction to the several criminal courts, to take proceedings in and render judgements for executions on forfeited recognizances taken or returned in said courts.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Johnson introduced House bill No. 460—an act to amend sections one hundred and thirty-two and three hundred and seventy-four, of the act entitled, "An act to revise, simplify and abridge the rules, practice, and pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Broaddus, chairman of the Committee on Engrossed Bills, submitted the following report :

Mr. Speaker:

The Committee on Engrossed Bills, have compared engrossed bills of the House Nos. 444, 312 and 434 with the original copies, and find them in all respects correctly engrossed.

Mr. Eward introduced House bill No. 461—an act to amend the third section of an act entitled, "An act authorizing the assessment of lands for plank, Macadamized and gravel road purposes, prescribing the manner of assessing, and collecting the same and repealing the law on that subject," approved March 11, 1867, approved May 14, 1869, and declaring an emergency for the immediae taking effect of the same.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Baxter presented a petition from sundry citizens of Wayne county, asking for the abolishment of the death penalty for crime.

Which was referred to the Committee on Rights and Privileges.

Mr. Baxter presented a petition from the Ladies Benevolent Institution of Richmond, asking that a law may be passed, empowering township trustees to take charge of any children, whose parents through intemperance or other grievances, disqualifications are not fit to be entrusted with the care of children.

Which was referred to the Committee on Reformatory Institutions.

Mr. Wesner introduced House bill No. 462—an act to provide compensation to judges for holding adjourned and special terms of circuit courts.

Which bill was read a first time, and referred to the Committee on Fees and Salaries.

Mr. Hollingsworth introduced House bill No. 463—an act defining certain rights and duties of feeders and pasturers of live stock.

Which bill was read a first time, and referred to the Committee on Agriculture.

Mr. Hollingsworth introduced House bill No. 464—an act to amend the first and fourteenth sections of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed.

Which bill was read a first time, and referred to the Committee on Education.

Mr. Troutman offered the following resolution:

Whereas, on the 13th of January last the House of Representatives passed the following resolution:

Resolved, That the real estate appraisers of each county be and they are hereby requested, when the same is practicable, to appoint as their deputies the present elective township assessors, without regard to party; and,

WHEREAS, In the passage of said resolution there was no provision made for communicating said resolution to said real estate appraisers; therefore,

Resolved, That the Auditor of State be, and he is hereby authorized to furnish each county auditor with a copy of this and the former resolution.

Which resolution was not adopted.

Mr. McConnell introduced House bill No. 465—an act fixing the time of holding courts in the tenth judicial circuit, continuing in force certain provisions of law in reference thereto, and prescribing the length of terms in the several counties thereof.

Which bill was read a first time, and referred to the following select committee: Messrs. McConnell, Tulley, Heller and Bowser.

Mr. Whitworth presented petitions from sundry citizens of Posey county on the subject of the disappearance of timber.

Which was referred to the Committee on Agriculture.

Mr. Eaton presented a petition from sundry citizens of the State on the subject of re-districting the State for judicial purposes.

Which was referred to the Select Committee on Re-districting the State for Judicial Purposes.

Mr. Crumpacker presented a petition from sundry citizens on the subject of railroad freights.

Which was referred to the Committee on Railroads.

The engrossed Senate amendments to House bill No. 71 was taken up.

Engrossed Senate amendments to House bill No. 71:

First. Amend by inserting after the word "city," in line 20, the words, "or subscribe stock to any bridge company, organized

under the laws of this or any other State, to construct a bridge across any river or water-course within or bordering on this State where such bridge has its termini or either terminus within such city."

Second. Amend by inserting after the word "roads," in line 23, the words "or such bridge."

Third. Amend by inserting after the word "roads," in line 31, the words "or bridges."

Fourth. Amend by inserting after the word "road," in line 33, the words "or bridge."

Fifth. Amend by inserting after the word "roads," in line 41, the words "or bridges."

Sixth. Amend by inserting after the word "roads," in line 45, the words "or bridges."

Seventh. Amend by inserting after the word "road," in line 58, the words "or bridge company."

Which amendments were concurred in.

The Senate Concurrent Resolution in relation to the collection of specimens of Indiana minerals, etc., for the World's Exhibition at Vienna, was taken up and concurred in, and the Speaker appointed as such committee on the part of the House: Messrs. Scott, Woollen and Gronendyke.

Mr. Isenhauer was gaanted leave of absence until Tuesday next.

On motion of Mr. Gregory, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Senate bill No. 4 was taken up—a bill to provide for the assessment and collection of taxes for municipal purposes, on the shares of stock owned in banks and banking associations doing business in the State.

Which bill was read a first time and referred to the Committee on Ways and Means.

Senate bill No. 69 was taken up—an act authorizing and empowering cities incorporated under any general law of this State for the incorporation of cities, and owning real estate, to sell and convey the same in whole or in parcels, as the common council of such city or cities may deem expedient, and prescribing in what manner the same may be conveyed, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Senate bill No. 74 was taken up—an act to legalize the acts and proceedings of boards of county commissioners in certain cases, and declaring an emergency.

Which bill was read a first time and referred to the Committee on County and Township Business.

Senate bill No. 77 was taken up—a bill to amend section 47 of an act entitled " An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 96 was taken up—a bill to encourage manufacturing in the State of Indiana, and allowing and legalizing conveyance of real estate by and to foreign manufacturing, mining, mechanical and chemical companies, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Manufactures and Commerce.

Senate bill No. 99 was taken up—a bill to authorize sureties upon notes, bills, bonds or other instruments in writing, who have been compelled to pay the same for their principals, to collect off the principals interest on the amount paid by such sureties at the rate provided for in such original notes, bills, bonds or other instruments in writing held against such principals.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 100 was taken up—a bill to amend sections 352 and 354 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 103 was taken up—a bill to amend section 78 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith, and to establish township libraries, and for the regulation thereof."

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 106 was taken up—a bill to prescribe the qualifications of petit jurors in the several courts of this State.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 140 was taken up—a bill to amend section 3 and repeal section 4 of an act entitled "An act prescribing who may make a will, the effect thereof, what may be desired, regulating the revocation, admission to probate, and contents thereof," approved May 31, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

House bill No. 344 was taken up, read a second time, and ordered to be engrossed.

House bill No. 340 was taken up, read a second time, and, on motion of Mr. Brett, laid on the table, and 200 copies ordered to be printed for the use of the members of the House.

Mr. Butterworth, from the Committee on Swamp Lands, submitted the following majority report:

Mr. Speaker:

The Committee on Swamp Lands, to whom was referred Senate bill No. 88, for an act to authorize and encourage the construction of levees, dykes, drains and ditches, and the reclamation of wet and overflowed lands by incorporated companies, etc., etc., have had the same under consideration, and a majority of said committee have directed me to report the same back with sundry amendments, which they recommend to be adopted as necessary to the perfection of the bill if the same shall become a law.

Amend in section 1, third line, after the word "persons," by adding the words "residents of the State of Indiana."

Amend at the end of section 7, after the word "journal," by adding to the words "no officers or appraisers shall be allowed a compensation exceeding three dollars per day for the time actually employed."

Amend in section 13, line 7, after the words "signed by," by striking out the words "one-third," and inserting "a majority," in place thereof.

Also, amend in same section in line 11, after the words "proof that," by striking out the words "one-third of such land owners," and insert "a majority of such land owners interested in the proposed work," in place thereof.

Amend in section 15, line 34, after the words "they shall," by striking out the words "return to the clerks of the association," and insert in place thereof the words "deposit in the office of the recorder of the county in which they are appointed."

Amend in section 18, line 17, and in line 20, by striking out the words "increase or."

Amend in section 21, line 34, by adding after the words "party appealing the sentence:" "*Provided, however,* That no change of venue shall be allowed to any other county."

Amend in section 23, in line 14, after the word "assessment," by

adding the following: "but they shall not have power to order the payment of more than one installment until the construction of the work shall have actually commenced; and they shall not have power to order the payment of additional installments farther than is necessary for the continued prosecution of the work."

Mr. Gregory, from the same committee, submitted the following minority report:

The minority of the Committee on Swamp Lands, to whom was referred Senate bill No. 88, entitled, "An act to authorize and encourage the construction of levees, dykes, drains and ditches, and the reclamation of wet and overflowed lands by incorporated associations, and providing for the organization of such associations and prescribing the powers and providing for assessments of the costs of such improvements and the expenses attending the same upon the lands benefitted thereby, and for the collection of such assessments and repealing certain acts therein specified, and declaring an emergency," have had the same under consideration and submit the following report: That upon examination, they find that said bill does not contain any of the obnoxious features of the law repealed at the late special session of this Legislature, and in our judgment, this bill is politic and wise, and if it becomes a law together with the amendments, we propose herein, will be to the benefit of all the citizens of the State. We, therefore, ask that the bill be amended, by adding the following section before the section in the original bill numbered 31; and when the bill is so amended, we recommend its passage.

R. GREGORY,
JOHN McCONNELL.

Sec. 30. In any case, in which persons have heretofore attempted to organize an association for the purpose contemplated in this act under prior laws in this State, and have in good faith taken such steps as were supposed by them to be necessary, to make and perfect such organization and have proceeded in good faith to the actual construction of all or any portion of their proposed work prior to the first day of November, 1872, and shall have failed or been unabled to collect assessments of benefits, because of any error, informality or invalidity in the organization of said association or in its proceedings, then in every such case, it shall be law-

ful for such persons or any portion of them, not less than two thirds of all those, who united in the original undertaking together with such other persons as shall unite with them to sign and adopt articles of association, and become incorporated in the manner provided in this act, for the purpose of taking possession of the work undertaken and commenced by said former attempted association, and completing or keeping them in repair, as the case may require, and such newly organized company shall have the power to cause an assessment of benefits and injuries of lands, effected by said work to be made and collected under this act in the same manner, as if said work had been undertaken and done by said newly organized company in the first instance. *Provided*, That all persons assessed, shall have credit on their assessment for all payments made by them, on account of said work to the former association or persons composing it; *And provided further*, That the provisions of this section shall not apply to the case of any association, or attempted association, the main line of whose proposed work shall exceed sixteen miles in length.

Which bill and reports were passed over informally.

Mr. Walker was called to the chair by the Speaker.

Mr. Edwards, of Vigo, moved that the vote by which House bill No. 384 was passed, be reconsidered.

It was so ordered.

On motion of Mr. Henderson, House bill No. 349 was taken from the table, and read a second time and ordered to be engrossed.

House bill No. 414 was taken up, and read a second time and ordered to be engrossed.

Mr. Riggs presented a petition from sundry citizens of Vanderburgh county, asking for the passage of a temperance law, similar to the law of the State of Illinois.

Which was referred to the Committee on Temperance.

Mr. Willard presented the claim of George Whitman.

Which was referred to the Committee on Claims.

Mr. Edwards, of Vigo, introduced House bill No. 466—an act providing for the publication of official matter in the German newspapers.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Cobb offered the following resolution :

Resolved, That when the House adjourn, it be until Monday at two o'clock p. m.

Which resolution was adopted.

On motion of Mr. Cauthorn, the House adjourned until Monday next, at 2 o'clock p. m.

W. K. EDWARDS, Speaker.

MONDAY AFTERNOON.

February 10, 1873, 2 o'clock.

The House met pursuant to adjourment with the Speaker in the chair.

Prayer was offered by the Rev. B. F. Smith, of Indianapolis.

The journal of Friday was read and approved.

Mr. Baker introduced House bill No. 467—an act to amend an act entitled "An act regulating foreign insurance companies doing business in this State, and prescribing the duties of the agent thereof, and of the Auditor of State in connection thereunto, and prescribing penalties for violations of the provisions of this act," approved December 21, 1865.

Which was read the first time and referred to the Committee on Insurance.

Mr. Baker introduced House bill No. 468—an act to repeal all laws and parts of laws whereby stockholders in corporations are held liable for the debts of the corporation.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Ogden introduced House bill No. 469—a bill for an act to amend the 22d section of an act entitled "An act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, as amended by act of March 2d, 1855, and as amended by act of March 11th, 1867.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Crumpacker introduced House bill No. 470—an act to amend an act, approved Dec. 19, 1872, entitled "An act fixing the per diem and mileage of members of the General Assembly, and providing that they shall provide their own stationery," reducing the per diem pay from eight dollars per day to five dollars per day.

Which bill was read a first time and referred to the Committee on Fees and Salaries.

Mr. Peed presented a petition from sundry citizens of Martin county, asking for the abolishment of the Common Pleas Court.

Which was referred to a Select Committee on Re-districting the State of Indiana for Judicial Purposes.

On motion of Mr. Edwards, of Lawrence, the House adjourned until to-morrow morning at 9:30 o'clock.

W. K. EDWARDS, Speaker.

TUESDAY MORNING.

February 11, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read and approved.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 306, entitled "An act to regulate the recording of instruments, declaring the legal effect thereof," have had the said bill under consideration, and direct me to report the same back to the House with the following amendments: After the word "estate," in the second line of section 8, add the following words: "Sold at judicial sale on process issued from other than where the sale is made." Further amend by striking all of said section out after the word "effect," in the 17th line thereof. And further amend by striking out the 11th section; and after said amendments are adopted said committee recommend the passage of the bill.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 458, entitled "An act to amend section 186 of the code of procedure," have examined the same and directed me to report the said bill back to the House, with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Woollen, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 24, being an act in relation to dispositions of the public funds, have had the same under consideration, and have instructed me to report the same back to the House, with the accompanying amendments, and when so amended they recommend its passage:

Strike out all of the first section after the enacting clause, and insert the following: "That for the safe keeping of the public funds in this State, there shall be designated depositories, as hereafter set forth, and all public monies shall be deposited therein, in the name of the State, county, township, city or town, under the regulations herein provided, and none of the public funds shall be kept or deposited at any other place than in said designated depositories, or in the vaults of the proper treasuries, as is hereinafter provided."

Amend section 2 as follows: Strike out all after the word "shall," in the sixth line, to the word "require," in the seventh line.

Amend section 3 as follows: Strike out the words from the word "association," in the third line, to and including the word "of," in the fourth line, and insert in lieu thereof the word "in;" also, strike out all the words after the word "shall," in the seventh line, to the word "required," in the eighth line; also, between sections 3 and 4, insert the following section:

Sec. 4. It shall be the duty of the common council of such city, and the board of trustees of each incorporated town in this State, at their first meeting in June of each year, beginning in June, 1873, to designate one or more banks, banking firms or associations in their respective cities or towns, if any such there be, which be and constitute the depository or depositories of said cities and towns, for the safe keeping of the public funds which may come from any source into the hands of the treasurers of such cities or towns, and in making such designations, said common council or town trustees shall require of said depositories a bond with approved freehold security in a sum sufficient to secure the safety of said fund, and signed by parties as sureties who are not members of said banks, banking firms or associations, and said bond, when taken, shall be drawn or approved by some competent attorney at law to be employed by said common council or town trustees, and filed in the clerk's office of such cities or towns.

Amend section 4 as follows: Strike out the word "and," in the second line, and insert the following in the said second line, after the word "commissioners:" "and of said common council and town trustees;" also, amend said fourth section by striking out the words, "they or either."

Amend section 6 as follows: Strike out the word "and," in the first line, and after the word "treasuries," insert the following: "and the treasurers of said cities and towns."

Amend section 7 as follows: Strike out the word "or" in the third line, and after the word "counties" insert the following: "or to the said cities and towns." Amend the fifth line, after the word "auditor," by inserting the following: "or with the city or town clerk." Amend the seventh line, after the word "counties," by inserting the following: "or of said cities or towns." Amend the eighth line of said seventh section by inserting after the word "auditors" the following words: "and of the clerk of said cities and towns." Amend said seventh section by adding thereto the following words: "cities and towns."

Amend section 8 as follows: After the word "county," in the second line, insert the following: "city or towns."

Amend section 9 as follows: In line two, after the word "counties," insert the following: "or of the common council of said cities, or of the boards of trustees of said towns." Amend line six, after the word "county," by inserting the following words, "city or towns."

Amend section 10 as follows: After the word "county," in the first line, insert the following: "city or towns." Also after the word "treasurer," in line one, insert the following: "or any township trustees or school trustees, or commissioners of any city or town."

Also amend by inserting between sections 9 and 10 the following sections:

Section —. In all townships where a depository has been designated by the boards of commissioners, it shall be the duty of the township trustee to make with said depository such contract or agreement for the allowance of interest on the public funds deposited by such trustee, as shall be reasonable and just, and take from such depository a bond as is required in case of the county funds, and thereupon deposit in said depository all funds which may come into his hands as such trustee, and account for the interest thereon in the same way, and be subject to the same rules, as near as practicable, as the county treasurer.

Sec. 12. In all cities and towns where a depository has been designated by the common council or town trustee, it shall be the duty of the school trustees or commissioners having custody of the school fund, to make with said depository such contract or agreement for the allowance of interest on the public fund deposited by such school trustee or commissioner as shall be reasonable and just, and take from such depository a bond, as is required in case of the city or town funds, and thereupon deposit in said depository all the public funds which may come into the hands of such school trustees or commissioners, and account for the interest thereon in the same way, and be subject to the same rules as near as practicable as the city or town treasuries thereupon deposited in said depository all public funds which may come into the hands of such school trustees or commissioners, and account for the interest thereon in the same way and be subject to the same rules as near as practicable as the city or town treasuries.

Sec. —. In all settlements hereafter made by the Treasurer of State and the several county, city and town treasurers, township trustees and school trustees or commissioners of cities and towns, they shall severally make oath that they have duly and fully accounted for all interest or bonds which have been received by them, directly or indirectly, on any of the public funds in their hands or under their term of office, which oath shall be filed and preserved.

Sec. 13. The persons who are required to designate the depositories as required by this act shall have the power, whenever they shall deem it necessary by reason of any combination or refusal on the part of the banks, banking associations or firms to make a fair and proper agreement for interest on the public funds, to order said funds deposited in the proper safes or vaults of the treasury, and keep them there under the contract and bond of the proper treasurer, until such time as they shall be able to secure a just and proper arrangement with the depository or depositories.

Section 14. If any person who is charged with the duty of designating public depositories under this act shall be guilty of making any agreement for his private benefit, on account of said funds, or shall take any bonus or reward from any such depository, on account of his action in designating the same, or shall make any agreement for interest on said fund that is not to inure to the

benefit thereof, such person shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, and forfeit and be removed from his office.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and ordered to be engrossed.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 305, entitled "An act in relation to the sale of appraised property upon execution, and declaring an emergency," have had the same under consideration, and have directed me to report the same back, with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 362, entitled "An act to amend section three of an act to provide compensation to the owners of animals killed or injured by the cars of any railroad company," have had the same under consideration, and report the same back to the House, with the recommendation that it pass.

Which report was concurred in, and the bill read a second time and ordered to be engrossed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report on House bill No. 439, and substituting a bill in lieu thereof:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 439—an act to provide for liens on buildings and for the

enforcement of the same—have had the same under consideration and direct me to report it back to the House with the recommendation that it lie on the table, and to report the accompanying bill as a substitute therefor:

House bill No. 471, being a bill substituted for House bill No. 439—an act to amend section 647 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity," approved June 18, 1852.

Which report was concurred in, the original bill laid on the table and the substituted bill read a first time.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 279, entitled "An act to better enable county treasurers to collect up the delinquent taxes and to save useless expense in advertising delinquent lands and lots," have had the same under consideration and direct me to report it back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Lenfesty, chairman of the Committee on Federal Relations, submitted the following report:

Mr. Speaker:

The Committee on Federal Relations, to whom was referred House bill No. 275, have had the same under consideration, and direct me to report the same back with the recommendation that section 3 be amended by inserting after the word "shall," the words "by the United States or its authorized agent," and after its adoption we recommend its passage.

Which report was concurred in, the amendment adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report on House bill No. 345, and substituting a bill in lieu thereof:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House bill No. 345, being a bill amending the law governing weights and measures, have had the same under consideration, and respectfully ask leave to return the same, and that it lie on the table, and that the accompanying bill be substituted in its stead.

House bill No. 472, being a bill substituted for House bill No. 345—an act for the regulation of weights and measures.

Which report was concurred in, the original bill laid on the table and the substituted bill read a first time.

Mr. Cobb, from the Joint Committee on Claims, substituted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Barbour & Jacobs for $2,800, on account of legal services rendered in sundry cases referred to in accompanying papers, have had the same under consideration, and recommend that they be allowed $1,600, and referred to the Committee of Ways and Means to be incorporated in the specific appropriation bill.

Mr. Givan moved to lay the report on the table.

The question being, shall the report be laid on the table?

Whereupon Messrs. Givan and Peed demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Branham, Buskirk, Claypool, Cline, Coffman, Crumpacker, Durham, Eaton, Ellsworth, Givan, Glasgow, Goudie, Henderson, Isenhauer, Jones, Kimball, McConnell, McKinney, Mellett, Peed, Reno, Richardson, Rudder, Scott, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart) Tulley, Whitworth, Wynn and Mr. Speaker—36.

Those who voted in the negative were, Messrs. Barker, Baxter, Billingsley, Brett, Butterworth, Butts, Clark, Cobb, Cowgill, Dial, Edwards (of Lawrence), Eward, Furnas Gifford, Hatch, Hedrick, Heller, Hollingsworth, Johnson, King, Lenfesty, Martin, North, Odle, Offutt, Ogden, Prentiss, Reeves, Riggs, Shutt, Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Willard, Wilson (of Blackford) Willson (of Ripley), Wood, Woodard and Woollen—40.

So the report was not laid on the table.

Mr. Peed offered the following amendment:

Amend by striking out "sixteen hundred" and insert "five hundred dollars."

Mr. Butterworth offered the following amendment to the amendment offered by Mr. Peed:

Amend by inserting $1000 in place of $1,600.

Mr. Willson, of Ripley, moved to lay the amendment on the table.

The question being, shall the amendment be laid on the table?

Whereupon Messrs. Peed and Willson, of Ripley, demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Butts, Cobb, Cole, Cowgill, Dial, Edwards (of Lawrence), Gifford, Gronendyke, Hedrick, Heller, Johnson, King, Lenfesty, Miller, North, Ogden, Riggs, Tingley, Walker, Wesner, Wilson (of Blackford) and Willson (of Ripley) —26.

Those who voted in the negative were, Messrs. Barrett, Bowser, Buskirk, Butterworth, Clark, Coffman, Crumpacker, Durham, Eaton, Ellsworth, Eward, Givan, Glasgow, Goudie, Hatch, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, Martin, McConnell, McKinney, Odle, Offutt, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Satterwhite, Scott, Shutt, Smith, Spellman, Stanley, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Willard, Wood, Woodard, Woollen, Wynn and Mr. Speaker—49.

So the amendments were not laid on the table.

Whereupon Mr. Miller moved to recommit with the following instruction:

MR. SPEAKER:

I move, that the claim under consideration be referred back to the Committee on Claims with instruction, to grant a re-hearing to the claimants and to report back the claim with the evidence to the House.

On motion of Mr. Woollen, the whole subject matter was laid over, until to-morrow at 2 o'clock p. m.

Mr. Cobb, from the Joint Committee on Claims, substituted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Holland and Binkley for professional services, in case of Michael Batzner, defaulter as county treasurer of Franklin county, have had the same under consideration, and recommend that they be allowed $2,359.15, and refer the same to the Committee of Ways and Means to be incorporated in the specific appropriation bill.

Which report was not concurred in.

On motion of Mr Smith, the further consideration of said report was postponed until to-morrow at 2 o,clock p. m.

Mr. Riggs, chairman of the Joint Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of McDonald, Butler and McDonald, for professional services, have had the same under consideration, and direct me to report, the same be allowed, and refer the same to the Committee of Ways and Means to be incorporated in the specific appropriation bill.

On motion of Mr. Smith, the consideration of said report was postponed until to-morrow at 2 o'clock p. m.

Mr. Dial, from the Joint Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of N. B. and E. Taylor, for professional services in assisting McDonald, Butler & McDonald, in the case of Conner vs. Shoemaker, have had the same under consideration, and direct me to report the same back, with the recommendation that the same be allowed, and refer the same to the Committee of Ways and Means to be incorporated in the specific appropriation bill.

On motion of Mr. Hatch, the consideration of said report was postponed until two o'clock p. m. to-morrow.

Mr. Hedrick, from the Joint Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of J. S. Buckles, for money paid for swamp lands, have had the same under consideration, and direct me to report the same back to the House, with the recommendation that the same be allowed, and referred to the Committee on Ways and Means, to be incorporated in the specific appropriation bill.

On motion of Mr. Peed, the further consideration of said report was postponed until to-morrow at two o'clock p. m.

Mr. McConnell, from the select committee to whom was referred House bill No. 465, submitted the following report:

MR. SPEAKER:

The select committee, to whom was referred House bill No. 465, entitled "An act fixing the time of holding courts in the tenth judicial circuit, continuing in force certain provisions of law in reference thereto, and prescribing the length of terms in the several counties thereof, have had the same under consideration and di-

rected me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill read a second time.

Mr. McConnell moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Given, Glasgow, Goudie, Gronendyke, Gregory, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Jones, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—78.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Goudie, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of

Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Gifford, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

SPECIAL ORDER.

The special order being the consideration of the concurrent resolution, in relation to building a new State House.

On motion of Mr. Peed, the further consideration of the same was postponed until 3 o'clock this p. m.

The communication of the Governor, in relation to weights and measures and the documents accompanying the same, was taken up, read and referred to the Committee on Agriculture.

House bill No. 317 was taken up, read a second time and referred to the Committee on the Judiciary.

House bill No. 418 was taken up and read a second time.

Whereupon Mr Wynn offered the following amendment:

Amend section first, by striking out the first and second provisions, and insert the words: "*Provided*, that said deputies shall give bond in the sum of two thousand dollars for the faithful discharge of their duties.

On motion of Mr, Woodard, the amendment was laid on the table.

Mr. Brett offered the following amendment:

Amend by striking out all that part of the bill, requiring the appointment of the present township assessors as assistants of the county assessors.

On motion of Mr. Givan, the bill and amendments were referred to the Committee on Ways and Means.

The resolution of Mr. Baxter, in relation to the appointment of a Standing Committee on Mines and Mining, was taken up and adopted.

House bill No. 389 was placed on the file.

Engrossed House bill No. 316 was taken up, and on motion of Mr. Jones, recommitted to the Committee on Education with the following instruction:

So amend House bill No. 316, to require a majority of the legal voters of the township to hold elections, to decide, whether the trustees shall in conjunction with county board, make an additional levy of twenty-five cents on one hundred dollars of taxable property in the township, to pay for those already built.

House Joint Resolution No. 16 having failed to pass for want of a constitutional majority, was taken up and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Baker, Bowser, Cobb, Cowgill, Edwards (of Lawrence), Glasgow, Kimball and King—8.

Those who voted in the negative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Blocher, Brett, Buskirk, Butterworth, Butts, Clark, Claypool, Coffman, Crumpacker, Dial, Durham, Eward, Furnas, Givan, Goudie, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle,

Offutt, Ogden, Peed, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—68.

So the joint resolution failed to pass.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 73, entitled—a bill to amend sections 15 and 16 of an act thereof for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and providing for the election of the town marshal by the town trustees, and declaring an emergency.

And the same is herewith transmitted to the House.

Engrossed House bill No. 380 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, Odle, Offutt, Ogden, Peed, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—78.

Messrs. Coffman and Willard voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have carefully examined Enrolled House bill No. 71, entitled—an act to amend section 60 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, and find the same correctly enrolled.

House bill No. 455 was taken up, read a second time, and referred to the Committee on County and Township Business.

Mr. Cobb, from the Committee on Canals, submitted the following report:

MR. SPEAKER:

Your Committee on Canals, to whom was referred Senate bill No. 23, entitled—a bill to authorize the Board of Commissioners of the several counties of this State to appropriate money to aid in putting or keeping in repair any canal running in, through or along by any such county—have had the same under consideration and report the same back with a recommendation that the same pass.

Which report was concurred in.

Mr. Woodard offered the following amendment:

"That when a petition shall be signed by a majority of the freeholders of any county, that the commissioners may appropriate a sum not exceeding ten thousand dollars per year."

Mr. Richardson moved to lay the amendment on the table.

Which motion prevailed.

The bill was then read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Givan, Glasgow, Goudie, Gronendyke, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Peed, Prentiss, Reeves, Richardson, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford) Wood, Woollen and Wynn—66.

Those who voted in the negative were, Messrs. Baker, Claypool, Dial, Furnas, Gifford, Givan, Hatch, Hedrick, King, Kirkpatrick, Leufesty, Ogden, Reno, Rudder, Rumsey, Whitworth, Woodard, and Mr. Speaker—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker :

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill of the House with the accompanying amendment, to-wit :

Engrossed House bill No. 361, entitled, "A bill to repeal all laws now in force, establishing the time of holding circuit courts in the second judicial circuit, to fix the time of holding said courts, requiring all persons to take notice thereof, and providing for the

return of process thereto;" and the same is herewith returned to the House.

SPECIAL ORDER.

The special order being the consideration of the concurrent resolution, in relation to the building of a new State House.

The same was taken up and put upon its passage.

The question being, shall the concurrent resolution pass ?

Whereupon Messrs. Peed and Walker demanded the ayes and noes

Those who voted in the affirmative were, Messrs. Anderson, Baker, Billingsley, Branham, Buskirk, Butterworth, Cline, Cobb, Cowgill, Edwards (of Lawrence), Gifford, Hedrick, Heller, Henderson, Johnson, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, Miller, Ogden, Peed, Prentiss, Reeves, Rumsey, Satterwhite, Schmuck, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Whitworth, Willard, Wood, Woollen and Mr. Speaker—39.

Those who voted in the negative were, Messrs. Barrett, Baxter, Blocher, Bowser, Brett, Broaddus, Butts, Clark, Claypool, Coffman, Crumpacker, Dial, Durham, Ellsworth, Eward, Furnas, Givan, Glasgow, Goudie, Gronendyke, Hatch, Hollingsworth, Hoyer, Lenfesty, McKinney, North, Reno, Richardson, Rudder, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Troutman, Tulley, Wilson (of Blackford), Woodard and Wynn—41.

So the concurrent resolution was not adopted.

Engrossed House bill No. 361 was taken up, and the following Senate amendments thereto: Amend by adding the following section:

SEC. 4. An emergency exists for the immediate taking effect of this act, the same shall therefore be in force from and after its passage.

Which Senate amendment was concurred in.

House bill No. 217, and the majority and minority reports passed over informally, were taken up.

The question being, shall the minority report be substituted for the majority report?

The same was not adopted.

The question being, shall the majority report be concurred in?

Messrs. Givan and Bowser demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Billingsley, Blocher, Bowser, Branham, Brett, Butterworth, Dial, Edwards (of Lawrence), Furnas, Goudie, Gronendyke, Hatch, Heller, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Mellett, Miller, North, Offutt, Ogden, Peed, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Spencer), Troutman, Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Woollen and Wynn—48.

Those who voted in the negative were, Messrs. Clark, Claypool, Cobb, Coffman, Cole, Durham, Ellsworth, Eward, Givan, Isenhauer, Martin, McConnell, McKinney, Odle, Reeves, Richardson, Tingley, Tulley, Wood, Woodard and Mr. Speaker—21.

So the majority report was concurred in and the bill and amendments laid on the table.

Engrossed House bill No. 323 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Butterworth, Coffman, Cole, Durham, Gronendyke, Odle, Woodard and Wynn—8.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butts, Clark, Claypool, Cobb, Cowgill, Crumpacker, Dial, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Goudie, Hatch, Heller, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Peed, Reeves, Reno, Richardson, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt,

Smith, Spellman, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood and Mr. Speaker—66.

So the bill failed to pass.

Engrossed House bill No. 244 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Billingsley, Bowser, Branham, Brett, Broaddus, Butts, Clark, Cobb, Cowgill, Crumpacker, Edwards (of Lawrence), Furnas, Givan, Glasgow, Goudie, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Martin, Mellett, Peed, Prentiss, Rudder, Rumsey, Schmuck, Thayer, Walker, Whitworth, Willson (of Ripley) and Mr. Speaker—35.

Those who voted in the negative were, Messrs. Baker, Blocher, Buskirk, Butterworth, Claypool, Coffman, Dial, Durham, Ellsworth, Gifford, Gronendyke, Hatch, Hedrick, Johnson, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Reno, Richardson, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Spellman, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Willard, Wilson (of Blackford), Wood, Woodard and Wynn—44.

So the bill failed to pass.

Mr. Bowser, from the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to which was referred Senate bill No. 10—an act to amend section 58, of an act entitled, "An act to repeal all general laws now in force, for the incorporation of cities and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same and to regulate such other matters as properly pertain therein," approved March 14, 1867, have had the same under consideration, and direct me to report the same back, with a recommendation, that it pass?

Which report was concurred in and the bill read a second time.

Mr. Kimball introduced House bill No. 473—an act for the incorporation of companies, formed for the purpose of constructing bridges for railway, or common roadway purposes or both over rivers and streams, forming the boundaries of the State of Indiana or a part thereof.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Scott was granted leave of absence until Monday next.

Mr. Riggs was granted leave of absence until Friday next.

Mr. Dial offered the following resolution:

Resolved, That the Committee on Insurance Companies be requested to report back to this House the bill on insurance, introduced by one of the members of Marion county (Mr. Kimball).

Which resolution was adopted.

Mr. Baker introduced House bill No. 474—an act to amend section one of an act entitled, "An act for the incorporation of building, loan, fund and savings associations," approved March 5, 1857.

Which bill was read a first time and referred to the Committee on Corporations.

Mr. Baker presented a petition from H. H. Baltimore and others, asking, that the law be so amended, as to grant them the privilege of organizing associations with a corporate existence of not more than 25 years.

Which was referred to the Committee on Corporations.

Mr. Woodard introduced House bill No. 475—an act to authorize judgment for the fee of plaintiffs attorney in all suits by private citizens against railroad companies.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Shirley introduced House bill No. 476—a bill relating to prosecution by affidavit and information.

Which bill was read a first time and referred to the Committee on the Judiciary.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

WEDNESDAY MORNING.

FEBRUARY 12, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. Frostcraft, Pastor of the Third street M. E. church, of Indianapolis.

The journal of yesterday was read in part, when, on motion of Mr. Butterworth, the further reading of the same was dispensed with.

Mr. Odle, from the Committee on Elections, submitted the following report:

MR. SPEAKER:

The Committee, to whom was referred House bill No. 295, to amend sections 57 and 61, of an act defining misdemeanors and punishment therefor, have had the same under consideration, and would respectfully recommend, that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Woodard, chairman of the Committee on Fees and Salaries, submitted the following report and substituted bill:

MR. SPEAKER:

The Committee on Fees and Salaries, to whom was referred sundry bills on the subject of fees and salaries of officers, beg leave

to report, that in conjunction with a like committee from the Senate, they have had under consideration the various bills submitted in both, the House and Senate, and after careful consideration, have deemed it best to report and submit a bill on that subject.

They therefore present to the House for its consideration and action the accompanying bill, and recommend its passage.

House bill No. 477—a bill substituted in lieu of sundry bills, introduced by Mr. Woodard, chairman of the Committee on Fees and Salaries, by direction of said committee—an act regulating the fees of officers and prescribing penalties for its violation, repealing certain acts therein named, and declaring an emergency.

Mr. Miller moved, that the constitutional rule be suspended, and the bill read a first time by its title.

The question being, shall the constitutional rule be suspended ?

Those who voted in the affirmative were, Messrs. Baker, Barrett, Baxter, Billingsley, Brett, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Goudie, Gronendyke, Hardesty, Hatch, Heller, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—68.

No one voting in the negative.

So the constitutional rule was suspended and the bill read a first time by its title.

On motion of Mr. Cobb, said bill was laid on the table and 300 copies ordered to be printed for the use of the members of the House.

Mr. Rumsey, from the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 454, entitled, "An act repealing an act entitled, "An act providing for the protection of fish and repealing all laws in confliet with the same, prescribing penalties for the violation thereof,'" have had the same under consideration, and have directed me to report it back to the House, with the recommendation, that the said bill be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges, to whom was referred House bill No. 382, entitled, "An act to enable owners of overflowed farming land, to inclose the same when it cannot be done without effecting the lands of others, and prescribing the powers and duties of county boards and county auditors in relation thereto," have examined the same and have directed me to report the same back to the House, and recommend, that it be referred to the Committee on the Judiciary.

Which report was concurred in and the bill referred to the Committee on the Judiciary.

Mr. Shirley, from the Committee on Rights and Privileges, submitted the following report:

Mr. Speaker:

The Committee on Rights and Privileges of the inhabitants of the State, have had under consideration House bill No. 404, and recommend that the same be amended as follows: section one, in line twenty, strike out the word "enter," and insert in place thereof the word "intersect;" and in the same section, at line twenty-two, after the word "company" add the following provisions, viz: *Provided, however*, that such cemetery company shall have no right to build, own, use and operate the same within the corporate limits of any city or town, except the same be built, owned, used and operated under and by virture of the authorities

and direction of the proper persons and officers of such towns and cities, having the control of the alleys and streets of the same; *and provided further*, if any such cemetery company person or persons shall purchase a cemetery railway already built, and extending within the corporate limits of any town or city, such cemetery company person or persons so purchasing such railway, shall succeed to all the rights and privileges of such railway or company at the time the same was or may have been so purchased, but the right to hold, own, use and operate the same, shall be subject to the authorities of such city or town, having the control of the alleys and streets thereof.

And add the following section to said bill and in section three, viz: When a charter has heretofore been granted to a street railway company by the common council of any city or town in this State, no road shall be located or act done under or by virture of the provisions of this act, that will in any wise conflict with the charter or impair the rights and privileges of such company organized under and by virtue of such power and authority of such city or town; change section three of said bill, being an emergency to section four, and when said bill is so amended, said committee recommend that the same pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Thompson, of Elkhart, chairman of the Committee on County and Township Business, submitted the following report on House bill No. 442, and submitted a bill in lieu thereof:

Mr. Speaker:

The Committee on County and Township Business, to whom was referred House bill No. 442, entitled, "An act to provide for the publication of the allowance of the board of county commissioners," have had the same under consideration, and recommend that it lay on the table, and offer the following bill as a substitute therefor:

House bill No. 478 being a bill submitted in lieu of House bill No. 442—a bill to provide for the publication of the proceedings of the boards of county commissioners, and the report of township

trustees so far as they relate to the receipt and disbursment of public funds.

Which report was concurred in, the original bill laid on the table and the substituted bill read a first time.

Mr. Prentiss, from the Committee on County and Township Business, submitted the following report :

Mr. Speaker :

The Committee on County and Township Business, to whom was referred Senate bill No. 74, entitled " An act to legalize the acts and proceedings of Boards of County Commissioners in certain cases, and declaring an emergency," have had the same under consideration and recommend its passage.

Which report was concurred in and the bill read a second time.

Mr. Coffman, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker :

The Committee on County and Township Business, to whom was referred House bill No. 455, entitled—a bill for an act to provide for township elections—have had the same under consideration and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

The Speaker announced that he had signed Enrolled House act No. 71.

Mr. Claypool, from the Committee on County and Township Business, submitted the following report:

Mr. Speaker :

The Committee on County and Township Business, to whom was referred House bill No. 356, an act entitled—an act concerning cemeteries—have had the same under consideration, and report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time, and ordered to be engrossed.

Mr. Reeves, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 370, entitled—an act providing for the regular sessions of the Board of County Commissioners, and repealing all laws and parts of laws in conflict therewith—have had the same under consideration and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Reeves, from the Committee on County and Township Business, submitted the following report:

MR. SPEAKER:

The Committee on County and Township Business, to whom was referred House bill No. 371, entitled—an act supplemental to an act to provide for a uniform assessment of property, and for the collection and return of taxes thereon—have had the same under consideration and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Furnas, chairman of the Committee on Agriculture, submitted the following report:

MR. SPEAKER:

Your Committee on Agriculture, to whom was referred House bill No. 429, being a bill concerning grain elevators, have had the same under consideration, and instruct me to return the same and recommend its passage.

Which report was concurred in, and the bill read a second time and ordered to be engrossed.

Mr. Odle, from the Committee on Agricalture, submitted the following report:

Mr. Speaker:

The Committee on Agriculture, to whom was referred House bill No. 393—to amend section 5 of an act to discourage the keeping of useless and sheep-killing dogs—have had the same under consideration, and directed me to report it back with a recommendation that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. McConnell, from the Committee on Agriculture, submitted the following report:

Mr. Speaker:

Your Committee, to whom was referred House bill No. 463, entitled—an act defining certain rights and duties of feeders and pasturers of live stock—have had the same under consideration, and respectfully report the same back with the recommendation that it be referred to the Committee on the Judiciary.

Which report was concurred in, and the bill referred to the Committee on the Judiciary.

The Speaker announced the following as the Standing Committee on Mines and Mining—Messrs. Baxter, Cline, Kimball, McConnell, Gronendyke, Rudder and North.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 316, with instruction, recommend that the following be added to section first, viz:

"*And provided further*, That such additional levy shall only be made after the legal voters of the township, to be affected thereby, shall have declared in favor thereof."

Which report was concurred in, the amendments adopted and considered as engrossed, and the bill put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, North, Odle, Prentiss, Reeves, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—75.

Those who voted in the negative were, Messrs. Blocher, Lenfesty, Ogden, Peed and Reno—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Barrett presented a protest from sundry citizens of Bartholemew county, against the abolishment of the Common Pleas Court.

Which was referred to the Select Committee on Re-districting the State for Judicial Purposes.

Mr. Miller presented a protest from the members of the bar of Decatur county, against the abolishment of the Common Pleas Court.

Which was referred to the Select Committee on Re-districting the State for Judicial Purposes.

Mr. Mellett introduced House bill No. 479—an act to amend section 561 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law,

and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity."

Which was read a first time.

Mr. Buskirk introduced House bill No. 480—an act to encourage teachers' institutes and to provide for the expense of the same, and prescribing the duties of certain officers therein named.

Which bill was read a first time and referred to the Committee on Education.

Mr. Mellett offered the following resolution:

Resolved, That the chairman of the Committee on Printing is hereby instructed to furnish this House with the cost of printing House bill No. 399; also, the cost of printing the bills of the House, per page.

Which resolution was adopted.

Mr. Billingsley, chairman of the Committee on Public Printing, submitted the following report:

Mr. Speaker:

In compliance with a resolution of this House, requesting the chairman of the Committee on Printing to report the cost of printing House bill No. 399; also, the cost of printing the bills of this House, per page, I beg leave to report, that House bill No. 399, of which there was printed 500 copies, cost $87.75. Cost of printing, per page, including paper for first hundred, $3; for additional hundreds, per page per hundred, $1.

Which report was concurred in and laid on the table.

Mr. Furnas introduced House bill No. 481—an act repealing an act entitled "An act to render taxation for common school purposes uniform, and provide for the education of the colored children of the State."

Which bill was read a first time and referred to the Committee on Education.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have carefully compared Enrolled House bill No. 361, entitled "An act to repeal all laws now in force establishing the times of holding Circuit Courts in the second judicial circuit; to fix the times of holding said courts, requiring all persons to take notice thereof, providing for the return of process thereto," with the engrossed copy and find the same correctly enrolled.

The Speaker announced that he had signed Enrolled House act No. 361.

Mr. Woollen offered the following resolution:

Resolved, That in the sense of this House that a special tax should be levied annually, to remain as a special fund for the purpose of erecting a State House, and that the Committee on Ways and Means be directed to report a bill for that purpose.

Mr. Cauthorn offered the following resolution as a substitute:

Whereas, The present State House is insufficient, and the honor and wants of the State demand that a new State House should be erected without delay; therefore,

Resolved, That a select committee of five be appointed to devise ways and means for the erection of a State House and to report by bill or otherwise.

Which substitute was accepted by Mr. Woollen.

The question being, shall the resolution offered by Mr. Cauthorn be adopted.

Messrs. Branham and Walker demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Butterworth, Cauthorn, Cobb, Edwards (of Lawrence), Eward, Gifford, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Johnson, Kimball, King, Kirkpatrick, Martin, Offutt, Ogden, Prentiss, Rumsey, Spellman, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Willard, Willson (of Ripley), Wood, Woollen and Mr. Speaker—33.

Those who voted in the negative were, Messrs. Baker, Baxter, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butts, Clark, Claypool, Cline, Coffman, Cole, Crumpacker, Dial, Durham, Ellsworth, Furnas, Givan, Glasgow, Goudie, Hatch, Hollingsworth, Hoyer, Isenhauer, Jones, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Odle, Peed, Reeves, Reno, Richardson, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Smith, Stanley, Teeter, Tingley, Troutman, Tulley, Whitworth, Wilson (of Blackford), Woodard and Wynn—53.

So the resolution was not adopted.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills have compared enrolled Senate bill No. 62, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act to incorporate the town of Bluffton," approved February 12, 1851, and also to repeal section 11 of said act, with the engrossed copy thereof, and find the same correctly enrolled.

Mr. Hardesty offered the following resolution:

Whereas, There exists in many parts of this State a terrible and destructive disease, commonly known as milk sickness, which by reason of its hidden cause and alarming fatality has consigned multitudes of the citizens of our State to premature graves and underminded the happiness of many more; and,

Whereas, It is the duty of the State to protect the lives and health of her citizens, and encourage all wise sanitary measures looking to this object; and,

Whereas, A. J. Richardson, Esq., of Madison county, claims positively to have discovered after thirteen years investigation the cause of said disease and how to successfully remove the same from all lands infected, and who further claims, that the cause of said disease is simple, and if publicly made known, can be detected and removed by any person of common understanding; therefore, be it

Resolved by the House of Representatives of the General Assembly of the State of Indiana, That the Committee on Rights and Privileges of the inhabitants of the State be, and are hereby instructed, to examine into the cause of the disease mentioned in the preamble hereto and the possibility of eradicating the same, and in such examination to call before said committee the said A. J. Richardson, Esq., for the purpose of hearing him upon this important subject, the said committee is further instructed to report a bill to this House, providing for the payment by the State of a suitable reward to any person, who shall or may have discovered the cause of the disease known as milk sickness.

Which resolution was adopted.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed enrolled act of the House No. 361, entitled, "An act to repeal all laws now in force, establishing the time of holding circuit courts in the second judicial circuit, to fix the time of holding said courts, requiring all persons to take notice thereof, providing for the return of process thereto."

Also, enrolled act of the House No. 71, entitled, "An act to amend section sixty of an act entitled, 'An act to repeal all general laws now in force, for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same and to regulate such other matters as properly pertain thereto,'" approved March 14, 1867, and the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the Joint Rules.

Mr. Kimball introduced House bill No. 482—an act supplemental to an act entitled "An act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved February 21, 1855, and repealing an act entitled, 'An act to amend sections four and seven of an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of

Indiana,'" approved June 3, 1861, and prescribing additional duties of clerks of circuit courts and prosecuting and district attorneys.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Billingsley offered the following concurrent resolution:

Resolved by the House, the Senate concurring, That the Secretary of State and the chairmen of the House and Senate Printing Committees be requested to procure the completion of the Agent of State's report, provided the same can be procured upon reasonable terms.

Which resolution was adopted.

On motion of Mr. Blocher, the House adjourned until 2:00 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

House bill No. 447 was taken up, read a second time, and ordered to be engrossed.

Mr. Tulley moved a call of the House.

Which motion prevailed.

Those who answered were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence,) Ellsworth, Eward, Gifford, Givan, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elk-

hart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—80.

The following gentlemen being absent having been excused:

Messrs. Baker, Cline, Furnas, Glazebrook, Goble, Gregory, Lee, Lent, Pfrimmer, Riggs, Scott, Strange and Wolflin.

Absent without excuse—Messrs. Brett, Buskirk, Cauthorn, Offutt, Shutt, Willson (of Ripley) and Woollen.

On motion of Mr. Kimball, the members who were absent and not excused were sent for.

Mr. Billingsley moved that the further proceedings under the call be dispensed with.

Whereupon Messrs. Billingsley and Tulley demanded the ayes and noes.

The question being, shall the further proceedings under the call be dispensed with?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Givan, Glasgow, Goudie, Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—71.

Those who voted in the negative were, Messrs. Claypool, Durham, Gifford, Hedrick, Troutman and Tulley—6.

So the further proceedings under the call were dispensed with.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that this 12th day of February, 1873, they presented Enrolled House bill No. 71, and Enrolled House bill No. 361 to the Governor for his approval.

The special order being the consideration, of sundry claims against the State—

The claim of N. B. & E. Taylor was taken up.

The qustion being, shall the report of the committee be concurred in and the claim allowed?

Messrs. Satterwhite and Peed demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Cole, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Gifford, Glasgow, Goudie, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Prentiss, Reeves, Richardson, Rudder, Stanley, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—57.

Those who voted in the negative were, Messrs. Blocher, Durham, Ellsworth, Givan, Henderson, Jones, Kirkpatrick, Peed, Reno, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Teeter, Thayer, Troutman, Tulley and Whitworth—20.

So the report was concurred in and the claim allowed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act, to-wit: Enrolled act No. 62, of the Senate, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled 'An act to incorporate the town of

Bluffton,' " approved February 12, 1851, and also to repeal section 11 of said act.

The Speaker announced that he had signed Senate Enrolled Act No. 62.

The claim of Barbour & Jacobs and the report thereon was taken up.

The question being, shall the sum of $1,600 be stricken out?

Messrs. Peed and Stanley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barrett, Blocher, Bowser, Buskirk, Butterworth, Clark, Cline, Crumpacker, Durham, Ellsworth, Givan, Goudie, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Miller, Odle, Ogden, Peed, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Spellman, Stanley, Teeter, Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker —47.

Those who voted in the negative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Butts, Cobb, Cole, Cowgill, Dial, Edwards (of Lawrence), Gifford, Glasgow, Hedrick, Johnson, King, Kirkpatrick, Lenfesty, North, Prentiss, Shutt, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker and Willson (of Ripley)—27.

So the sum of $1,600 was stricken out.

The question being, shall the blank be filled with $1,000?

It was so ordered, and the report as amended was concurred in and the claim allowed.

The claim of McDonald, Butler & McDonald was taken up, the report of the committee concurred in and the claim allowed.

The claim of Holland & Binkley was taken up.

Mr. Peed offered the following amendment to the report:

Amend by striking out " $2,300," and insert " $1,000" in lieu thereof.

Mr. Cowgill moved to lay the amendment offered by Mr. Peed on the table.

The question being, shall the amendment offered by Mr. Peed be laid on the table?

Whereupon Messrs. Peed and Satterwhite demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Cobb, Cole, Cowgill, Edwards (of Lawrence), Goudie, Hatch, Hedrick, Isenhauer, Kirkpatrick, Lenfesty, Miller, Ogden, Walker, Wesner, Willson (of Ripley), Wynn and Mr. Speaker—18.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Bowser, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Coffman, Crumpacker, Durham, Ellsworth, Gifford, Givan, Glasgow, Gronendyke, Heller, Henderson, Hollingsworth, Hoyer, Jones, Kimball, Martin, McConnell, McKinney, North, Odle, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Wood and Woodard—55.

So the amendment was not laid on the table.

Mr. Butterworth offered the following amendment:

Amend by inserting $1,500 in place of amount allowed by Committee on Claims.

Which amendment upon motion of Mr. Woodard was laid on the table.

The question being put by the Speaker, shall $2,300 be stricken out of the report of the committee.

Whereupon Messrs. Peed and Satterwhite demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Bowser, Brett, Broaddus, Buskirk, Butts, Clark, Claypool, Cline, Coffman, Cole, Crumpacker, Durham, Ellsworth, Gifford, Givan, Glasgow, Goudie,

Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, Martin, McConnell, McKinney, Miller, North, Odle, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—62.

Those who voted in the negative were, Messrs. Baxter, Butterworth, Cobb, Cowgill, Edwards (of Lawrence), Hedrick, Kirkpatrick, Lenfesty, Ogden, Tingley, Walker, Wesner and Willson (of Ripley)—13.

So the sum of $2,300 was stricken out of the report.

Mr. Willson, of Ripley, offered the following amendment:

Amend by inserting $2,000.

Which amendment on motion of Mr. Barrett was laid on the table.

Mr. Troutman offered the following amendment:

Amend by inserting $1,200.

Which amendment on motion of Mr. Givan was laid on the table.

The question recurring upon the amendment offered by Mr. Peed.

Which was adopted.

The report as amended was then concurred in and the claim allowed.

The claim of Joseph S. Buckles was then taken up.

The question being, shall the report be concurred in and the claim allowed?

It was so ordered.

On motion of Mr. Peed, the House adjourned until to-morrow morning at 9:30 o'clock.

This Journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS, Speaker.

THURSDAY MORNING.

February 13, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. James Rudder, Representative from Washington county.

The journal of yesterday was read in part, when, on motion of Mr. Woodard, the further reading of the same was dispensed with.

On motion of Mr. Woodard, House bill No. 391, was taken from the table and referred to the Committee on Public Buildings.

House bill No. 340 was taken up and passed over informally.

Mr. Branham introduced House bill No. 483—an act to amend an act, entitled "An act to enable railroads to alter their lines in certain cases," approved December 20, 1865.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Butts introduced House bill No. 484—an act authorizing turnpike companies to adopt the act of May 12, 1852, and all amendments thereto, and to amend section 18 of an act entitled "An act to allow county commissioners to organize turnpike companies when three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and provide for the same to be free," approved March 6, 1865.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Butterworth introduced House bill No. 485—an act requiring conductors and engineers on passenger trains on railroads to stop at cities and incorporated towns, and declaring a misdemeanor and fixing a penalty for the violation of this act.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

Mr. Henderson introduced House bill No. 486—an act for the incorporation of real estate and live stock companies.

Which bill was read a first time and referred to the Committee on Corporations.

Mr. Glasgow offered the following resolution :

Resolved, That no member shall speak more than five minutes at one time without the leave of the House.

By rule of the House the resolution was laid over until the next day.

Mr. Rumsey introduced House bill No. 487—an act amending an act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto, approved March 5th, 1859.

Which bill was read a first time and referred to the Committee on Roads.

Mr. Cole offered Joint Resolution No. 19—a joint resolution instructing our Senators and requesting our Representatives in Congress to restore certain soldiers therein mentioned to their original position on the rolls of the army.

Which Joint Resolution was read and considered as engrossed and put upon its passage.

The question being, shall the joint resolution pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ed-

wards (of Lawrence), Ellsworth, Furnas, Givan, Glasgow, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—75.

Mr. Teeter voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Cowgill introduced House bill No. 488—an act to amend section two and to repeal sections three and four of an act entitled "An act to render taxation for common school purposes uniform, and to provide for the colored children of the State."

Which bill was read a first time and referred to the Committee on Education.

Mr. Cobb introduced House bill No. 489—an act to amend section five of an act entitled, "An act to incorporate the town of Huntington," approved February 16, 1848.

Which bill was read a first time and referred to the Committee on Cities and Towns.

The Joint Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed House bills No. 24 and 404 with the original copies, and find the same correctly engrossed.

Mr. King introduced House bill No. 490—an act supplemental to an act for the incorporation of manufacturing and mining comp-

anies, and companies for mechanical, chemical and building purposes," approved May 20, 1852, and providing for enlarging powers of manufacturing corporations in certain cases.

Which bill was read a first time, and referred to the Committee on Manufactures and Commerce.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled act of the Senate, to-wit:

Enrolled Act No. 62, of the Senate, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled 'An act to incorporate the town of Bluffton,'" approved February 12, 1851, and also to repeal section 11 of said act.

And the same has been delivered to the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have carefully compared enrolled Senate bill No. 23, entitled "An act to authorize the county commissioners of the several counties of the State to appropriate money to aid in putting or keeping in repair any canal running in, through or along any such county," with the engrossed copy, and find that the same is correctly engrossed.

Also, your Joint Committee on Enrolled Bills report that they have, this 13th day of February, 1873, presented Senate bill No. 62, entitled "An act to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act entitled 'An act to incorporate the town of Bluffton,'" etc., etc., to the Governor for his approval.

House bill No. 340 was taken up.

Mr. Heller offered the following amendment:

Amend by striking from line 3 of section 1, the words "eight and fourteen," and insert in lieu thereof the words, "ten and seventeen."

Which amendment, on motion of Mr. Baker, was laid on the table.

Mr. McKinney offered the following amendment:

In line five, strike out "on the first Monday in September," and insert "with the fall term of common schools of those respective districts."

Which amendment was adopted.

On motion of Mr. Lenfesty, the vote on the adoption of the resolution offered by Mr. McKinney was reconsidered, and by unanimous consent the amendment was withdrawn.

Mr. Brett offered the following amendment:

In line 5, printed bill, strike out the words, "commencing on," and insert the word "after."

Which amendment was adopted.

Mr. Baker offered the following amendment:

Amend section 3 by striking out in line 4, the words, "ten or more than fifty," and insert instead the following: "one or more than twenty."

Which amendment was adopted.

Mr. Miller offered the following amendment:

Mr. Speaker:

I move to amend the first section by inserting after the word "home," in line 13, the following words: "or night school."

Which amendment was laid on the table.

Mr. Baxter offered the following amendment to House bill No. 340:

Amend the words in section 2 by striking out "five nor more than ten dollars for the first offense, nor less than or more than twenty dollars for any subsequent offense," and inserting the words, "one or more than five dollars for the first offense, nor less than five or more than ten dollars for any subsequent offense."

Which amendment was not adopted.

Mr. Tulley offered the following amendment:

Amend section four by inserting in line three after the words: "township trustees," the words: "or school boards of incorporated towns or cities.

Which amendment was not adopted.

Mr. Buskirk offered the following amendment:

Amend section two by adding thereto the following sentences: "justice of the peace shall have exclusive original jurisdiction to try all prosecutions under this act, subject however to the right of appeal to circuit, or common pleas or criminal circuit courts."

On motion of Mr. Butterworth, the bill as amended was considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Pending which the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The consideration of House bill No. 340 was resumed.

Mr. Walker moved to recommit said bill with the following instruction to the Committee on Education: recommit with instruction, to strike out section three.

Which motion prevailed and the bill was so recommitted.

Engrossed House bill No. 384 was taken up and read a third time.

Mr. Walker was called to the chair by the Speaker.

Mr. Edwards, of Vigo, moved to re-commit to the Committee on the Judiciary, with the following instructions:

Re-commmit the bill to the Judiciary Committee, with instructions to inquire and report whether it is expedient to repeal that section of the statute of limitation which provides that said statute shall bar the United States and State of Indiana and other persons, and if not expedient, to report whether any additional legislation is necessary to require suits to be brought at once by the proper officers of the State against any person, officer or corporation against whom any cause of action exists in favor of the State.

Mr. Shirley moved to lay the motion to re-commit with instructions on the table.

The question being, shall the motion to re-commit be laid on the table?

Whereupon Messrs. Shirley and Tulley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Baxter, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Clark, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Givan, Glasgow, Goudie, Hatch, Hedrick, Heller, Hoyer, Isenhauer, Johnson, Kirkpatrick, Lenfesty, Martin, McConnell, North, Odle, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Shirley, Shutt, Smith, Stanley, Teeter, Troutman, Tulley, Willard, Wilson (of Blackford), Wood and Wynn—53.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Billingsley, Cauthorn, Cline, Cole, Edwards (of Lawrence), Gifford, Gronendyke, Henderson, Hollingsworth, Jones, Kimball, King, McKinney, Miller, Offutt, Ogden, Spellman, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Whitworth, Woodard and Mr. Speaker—29.

So the motion to recommit was laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Givan, Glasgow, Goudie, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kirkpatrick, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Stanley, Teeter, Tulley, Walker, Willard, Wilson (of Blackford) and Mr. Speaker—61.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Blocher, Cauthorn, Cline, Edwards (of Lawrence), Gifford, Gronendyke, Jones, Kimball, King, Lenfesty, Spellman, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Wesner, Whitworth, Wood, Woodard and Mr. Speaker—24.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof the following enrolled act, to-wit:

Enrolled Senate act No. 23, entitled "An act to authorize the county commissioners of the several counties of this State to appropriate money to aid in putting and keeping in repair, any canal running in, through or along any such county."

The Speaker announced that he had signed enrolled Senate act No. 23.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 160, entitled—a bill to amend an act to incorporate the Lawrenceburg Insurance Company, approved February 3, 1832.

Also, Engrossed Senate bill No. 64, entitled—a bill for the collection and publication of statistics.

Also, Engrossed Senate bill No. 162, entitled—a bill to repeal an act repealing section 31 of an act entietld "An act concerning real property and the alienation thereof," approved May 6, 1867, and authorize the records of deeds or transcripts thereof to be read in evidence in the courts of justice in this State.

Also, Engrossed Senate bill No. 98, entitled—a bill to prevent the carrying of concealed or dangerous weapons, and provide punishment therefor.

Also, Engrossed Senate bill No. 105, entitled—a bill to authorize the Courts of Common Pleas to determine who the heirs, legatees or distributees of a decedent are, and to order partial distribution of his estate among such heirs, distributees, or legatees prior to the final settlement of his estate, and declaring an emergency.

Also, Engrossed Senate bill No. 116, entitled—a bill to amend sections 95, 96 and 97 of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of the officers connected with the management thereof, and the heirs thereto, and certain forms to be used in such settlements," approved June 17, 1852, and legalizing certain sales of real estate heretofore made by foreign administrators, and declaring an emergency.

Also, Engrossed Senate bill No. 94, entitled—a bill concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities having therein incorporated Homes for Friendless Women.

Also, engrossed Senate bill No. 49 entitled—a bill to amend sections 22, 23 and 57 of an act entitled, "An act for the in-

corporation of towns, defining their powers and providing for the election of officers thereof and declaring their duties,'" approved June 11, 1852, and declaring an emergency; and the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Barrett desired to explain his vote on the passage of House bill No. 384, when the Speaker, Mr. Walker, decided the explanation out of order, from which decision Mr. Barrett presented the following appeal:

The Speaker having decided on the call of the roll, when the name of a member was called, that he could not explain his vote, the undersigned respectfully appeal from the decision to the House—Barrett, Heller.

The Speaker called Mr. Offutt to the chair.

The question being, shall the decision of the chair be sustained

It was so ordered.

Mr. McConnell was granted leave of absence until Tuesday morning next.

Engrossed House bill No. 68 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Branham, Brett, Butterworth, Broaddus, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Glasgow, Goudie, Gronendyke, Hatch, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker —70.

Those who voted in the negative were, Messrs. Bowser, Crumpacker, Dial, Heller, Kimball and Reno—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker took the chair.

Engrossed House bill No. 377 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker —72.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Bowser, Dial, Heller, Hoyer, McConnell, Reno and Rudder—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 411 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Ba-

ker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shutt, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Woollen, Wilson (of Blackford), Willard, Wood, Woodard, Wynn and Mr. Speaker—78.

Mr. Smith voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 312 was taken up and read a third time.

Mr. Lenfesty moved to recommit to the Committee on Temperance, with the following instructions:

Strike out the words, "officers and their deputies who use intoxicating liquors as a beverage," and insert "officers who get intoxicated."

Mr. Branham offered the following amendment:

Re-commit with instructions to amend so as to apply to persons becoming intoxicated by the use of intoxicating liquors while in office, and to strike out the emergency clause in said bill.

Mr. Smith moved to lay the amendments on the table.

Which motion did not prevail.

Said bill was then re-committed to the Committee on Temperance with the instructions offered by Messrs. Lenfesty and Branham.

Engrossed House bill No. 226 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Branham, Brett, Buskirk, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Edwards (of Lawrence), Eward, Furnas, Goudie, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Richardson, Scott, Shutt, Smith, Spellman, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—63.

Those who voted in the negative were, Messrs. Baker, Bowser, Butterworth, Crumpacker, Dial, Gifford, Givan, Glasgow, Gronendyke, Heller, Reno, Rudder, Rumsey, Stanley and Woodard—15.

So the bill passed.

The question being, shall the title as read stand as the title of the bill.

It was so ordered.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

February 14, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. Mr. Smith, of Indianapolis.

The journal of yesterday was read and approved.

The Speaker laid before the House the opinion of the Attorney General, James C. Denny, in relation to the title to lot 3 in block 48, in the city of Indianapolis, and declaring said title to be in W. P. & E. P. Gallup, and also submitting an abstract of title to said lot.

On motion of Mr. Branham, Senate bill No. 29 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McKinney, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Wynn—77.

Messrs. Barker, Peed and Mr. Speaker voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 87 was taken up and read a third time.

Whereupon Mr. Satterwhite offered the following amendment:

Mr. Speaker:

I move to strike out in section 1 the word "May," and insert

"July." In section 7 the words "second Monday in June," and insert the words "first Monday in July."

Which amendment was adopted by unanimous consent.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Billingsley, Branham, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Eward, Furnas, Givan, Glazebrook, Goudie, Hatch, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Martin, McKinney, Mellett, Miller, North, Odle, Offutt, Peed, Richardson, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Wood, Woollen, Wynn and Mr. Speaker —53.

Those who voted in the negative were, Messrs. Anderson Baker, Barker, Bowser, Broaddus, Buskirk, Butterworth, Cowgill Durham, Gifford, Heller, Lenfesty, Prentiss, Reeves, Rudder Stanley, Tingley, Wilson (of Blackford) and Woodard—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 170, entitled "A bill making an appropriation to Purdue University," and declaring an emergency.

Also, Engrossed Senate bill No. 155, entitled "A bill to provide for the reimbursement to certain counties therein named of certain taxes illegally assessed and collected for the year 1869, and paid into the State Treasury, and declaring an emergency."

Also, Engrossed Senate bill No. 127, entitled " A bill in relation to the collection of promissory notes and contracts given for a patent right, or taken in the course of or under the pretense of establishing an agency for the sale of any agricultural or other implements, authorizing the collection of judgment taken by default in certain cases to be enjoined, enlarging the defense to such notes and contracts when payable in bank, providing when such suit shall be commenced," and declaring an emergency.

And the same are herewith transmitted to the House of Representatives for its action thereon.

Mr. Broaddus, chairman of the Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills, have compared House bills Nos. 275, 447, 458, 465, 362, 306, 401, 344, 388, 429, 430, 356, 349, 414, 272 and 455 with the original copies, and find them correctly engrossed.

Engrossed House bill No. 434 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Bowser, Branham, Broaddus, Buskirk, Butterworth, Clark, Cobb, Cole, Cowgill, Crumpacker, Dial, Durham, Eward, Furnas, Givan, Glazebrook, Goudie, Gronendyke, Hatch, Heller, Hoyer, Isenhauer, Kimball, King, Lenfesty, Martin, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—58.

Those who voted in the negative were, Messrs. Barrett, Billingsley, Cauthorn, Cline, Edwards (of Lawrence), Gifford, Glasgow, Hedrick, Jones, Kirkpatrick, McKinney, Rudder, Rumsey, Smith, and Thompson (of Elkhart)—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 404 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Eward, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Shirley, Shutt, Smith, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Baker, Buskirk, Furnas, Hoyer, Reno, Schmuck, Teeter, Thayer and Willson (of Ripley)—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled act, to-wit:

Enrolled Senate act No. 23 entitled, "An act to authorize the county commissioners of the several counties of this State, to ap-

propriate money to aid in putting or keeping in repair any canal running in, through or along any such county; and the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the Joint Rules.

The Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills, have this 14th day of February 1873 presented Senate bill No. 23, entitled, "An act to authorize the county commissioners of the several counties in the State, to appropriate money to aid in, or keeping or putting in repair any canal running in, through or along any such county, to the Governor for his approval.

The Committee on Ways and Means and Prisons were granted leave of absence until Monday next.

Mr. Troutman was granted leave of absence until Tuesday next

Engrossed House bill No. 24 was taken up and read a third time.

Pending which the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The consideration of House bill No. 24 was resumed.

Mr. Glasgow moved to re-commit said bill to the Committee on the Judiciary, with the following instructions:

Amend section 3 as follows: Insert in line four, after the word "counties," the words, "if there are any," and in line seven, strike out all after the word "shall," and in line eight, the words, "demand it," and also, by striking out all of said section after the word "county," in line thirteen.

Which motion did not prevail.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Cowgill, Crumpacker, Eward, Furnas, Hollingsworth, Hoyer, Johnson, Martin, McKinney, Miller, Odle, Ogden, Peed, Schmuck, Shirley, Teeter, Tingley, Walker and Woollen—27.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cobb, Dial, Durham, Eaton, Edwards (of Lawrence), Gfford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Mellett, North, Offutt, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Shutt, Smith, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—58.

So the bill failed to pass.

Mr. Branham, chairman of the Committee on Benevolent and Scientific Institutions, submitted the following report:

Mr. Speaker:

The Committee on Benevolent Institutions, after having visited the Hospital for the Insane, the Institution for the Education of the Deaf and Dumb, and the Indiana Institute for the Education of the Blind, and after having thoroughly inspected them, take pleasure in reporting the excellent condition and order of these institutions, and commend to the House and the people of the State the superintendents and others in charge of these institutions, for the very efficient manner in which their several charges are conducted; and after having had in consideration their wants for the ensuing two years, *i. e.*, from the 1st of April, 1873, to the 31st of March, 1874, and from the 1st of April, 1874, to the 31st of March, 1875, earnestly recommend that there be allowed the Indiana Hospital for the Insane, for the year from 1st of April, 1873, to 31st of March, 1874, for current expenses, one hundred and twenty-

three thousand dollars, and for general repairs, ten thousand dollars, and for work indispensably required, nineteen thousand six hundred dollars, and for work urgently recommended, sixty-six thousand dollars, making in the aggregate, two hundred and eighteen thousand six hundred dollars; and for the year from 1st of April, 1874, to 31st of March, 1875, there be allowed the same for current expenses, one hundred and twenty-three thousand dollars; for the general repairs fund, the sum of ten thousand dollars.

Furthermore, in view of the increased capacity of the hospital for the insane by the commencement of the second year, which will neccessarily increase its current expenses, the committee ask an allowance of thirty thousand dollars to cover this contingency, making in the aggregate one hundred and sixty-three thousand dollars That there be allowed the institution for educating the Deaf and Dumb the sum of sixty-five thousand dollars for the year from the 1st of April, 1873, to 31st of March, 1874, and for the year, from 1st April, 1874, to 31st March, 1876, there be allowed for the same the sum of sixty-seven thousand five hundred dollars. That there be allowed the Institution for the Education of the Blind, for the year, from 1st April, 1873, to 31st March, 1874, thirty-two thousand five hundred dollars, and for the year from 1st April, 1874, to 31st March, 1875, there be allowed for the same the sum of thirty-two thousand five hundred dollars. That there be allowed the Soldiers' and Orphan's Home the sum of
dollars for the year from 1st April, 1873, to 31st March, 1874, and a like sum for the year, from 1st April, 1874, to 31st March, 1875.

And your committee respectfully recommend, that the report be referred to the Committee on Ways and Means with instruction, to incorporate the same in the general appropriation bill.

Mr. Branham offered the following amendment to said report: that one thousand dollars be appropriated for the purchase of books for the use of the blind; and that sixty-five thousand dollars be appropriated for the purpose of making additions to the institution for the education of the blind for the fiscal year 1874 to 1875.

Which amendment was adopted, the report was then concurred in and referred to the Committee on Ways and Means.

Mr. Schmuck offered the following resolution:

WHEREAS, Hon. S. D. Dial did on the 23d day of January last, receive the Speakers warrant of that date, No. 24 for 14 days:

Per Diem	$112 00
Mileage	82 00
Total	$194 00

That said Dial delivered said warrant to Senator Fuller, that the same was stolen from said Fuller at his room No. 72, Palmer house, in this city and has not been paid.

That the Auditor and Treasurer of this State have been duly notified of the loss of said warrant; therefore,

Resolved, That the Speaker be authorized to issue a duplicate warrant in lieu of the warrant, so lost or stolen; that the Auditor be authorized to issue his warrant thereon for the payment of the Speakers warrant so duplicated.

Which resolution was adopted.

Messrs. North and Rudder were granted leave of absence until Tuesday next. Mr. Dial until Tuesday next, and Mr. Shirley until Monday week.

House bill No. 389 was taken up, and the majority and minority reports thereon.

The question being, shall the minority report be substituted for the majority report?

It was not so ordered.

The majority report was then concurred in, the amendments adopted, and the bill read a second time.

Mr. Riggs moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Billingsley, Bowser, Branham, Butterworth, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Edwards (of Lawrence), Furnas,

Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Heller, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Miller, North, Odle, Ogden, Peed, Reeves, Riggs, Rudder, Satterwhite, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—49.

Those who voted in the negative were, Messrs. Baker, Barrett, Baxter, Broaddus, Crumpacker, Dial, Durham, Eward, Hedrick, Henderson, Hoyer, Isenhauer, Martin, McKinney, Prentiss, Reno, Richardson, Schmuck, Shirley, Shutt. Stanley, Teeter and Tulley —23.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time, and put upon its passage.

Pending the consideration of which the House adjourned until to-morrow at 9:30 o'clock, a. m.

This journal was read in the hearing of the Committee and found to be correct.

W. K. EDWARDS,
Speaker.

SATURDAY MORNING.

February 15, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. J. C. Smith, of Indianapolis.

The journal of yesterday was read and approved.

Mr. Anderson introduced House bill No. 491—an act to amend section 51 of an act providing for the election and qualification of justices of the peace and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred House bill No. 489, have had the same under consideration and have directed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Mellett introduced House bill No. 492—an act to amend section 7 of an act to establish a home for the maintenance of sick and disabled Indiana soldiers and seamen and their orphans and widows, approved March 11, 1867, and supplementary to said act.

Which bill was read a first time and referred to the Committee on Benevolent Institutions.

The fellowing message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill thereof, to-wit:

Engrossed Senate bill No. 157, entitled "A bill authorizing the purchase of stationery for the use of the county officers of this State, and the Circuit, Common Pleas, Superior and Criminal Courts, providing penalties for its violation, repealing all laws in conflict with this act," and declaring an emergency, and the same is herewith transmitted to the House for its action thereon.

Mr. Thompson introduced House bill No. 493—an act to amend line 2, section 8, of an act entitled "An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act," approved February 18, 1859.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Butterworth introduced House bill No. 494—an act to provide for the appointment of two commissioners of fisheries, and making an appropriation therefor.

Which bill was read a first time and referred to the Committee on Agriculture.

Mr. Wynn introduced House bill No. 495—an act to amend section 1 of an act entitled "An act to amend sections 9, 10, 18, 19, 23, 24 and 33 of an act entitled 'An act to incorporate the town of Vernon, Jennings county, Indiana,'" approved January 22, 1857, Approved December 20, 1865, and to legalize certain ordinances of said corporation.

Which bill was read a first time.

Mr. Billingsley introduced House bill No. 496—an act to amend section 160 of an act entitled "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith," etc., approved March 6, 1865, and adding a supplemental section thereto, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Education.

Mr. King presented the claim of I. Taylor, architect, for services as architect for the House of Refuge at Plainfield.

Which was referred to the Committee on claims.

Mr. Edwards, of Lawrence, introduced House bill No. 497—an act giving justices of the peace and mayors of cities original and exclusive jurisdiction in all cases of misdemeanors where the fine does not exceed fifty dollars and imprisonment is not a part of the penalty.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Baxter presented a petition from sundry citizens of Boone county, asking that the death penalty be repealed,

Which was referred to the Committee on Reformatory Institutions.

Mr. Baxter offered the following concurrent resolution :

Resolved by the House, the Senate concurring therein, That this General Assembly will meet in Joint Convention, in the hall of the House of Representatives at 7 o'clock p. m. on Wednesday the 26th instant, to hear Marvin H. Bovee, touching the memorial on the subject of capital punishment, pending before the General Assembly.

Which resolution was adopted.

Mr. Baxter introduced House bill No. 498—a bill to establish a sanitarium, providing for the government thereof and repealing all laws conflicting therewith.

Which bill was read a first time and referred to the Committee on Reformatory Institutions.

Mr. Walker introduced House bill No. 499—an act to authorize cities and towns, which have negotiated and sold bonds to procure means with which to erect and complete unfinished school buildings, and to pay debts for the erection of such buildings, to issue other bonds and exchange such new bonds for those previously issued and part due, and providing for the payment of the principal and interest of such bonds and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Tulley introduced House bill No. 500—an act to amend section 531 of an act entitled, " An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Buskirk introduced House bill No. 501—an act to amend the title of an act entitled, "An act concerning licenses to vend foreign merchandise, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain," approved June 15, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Mellett presented a petition from the students of the State Normal school.

Which was referred to the Committee on Education.

The Speaker presented a petition from Anton Sontag on the subject of emigration.

Which was referred to the Committee on Statistics and Emigration.

Mr. Edwards, of Lawrence, from the Committee on Elections, submitted the following report:

Mr. Speaker:

Your Committee on Elections, to whom was referred House bill No. 438—an act entitled, "An act to repeal section two and to amend sections three and four of an act entitled, 'An act repealing sections 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21 and 22 of an act entitled, 'An act to provide for the registry of voters, and to declare their residence, and to punish fraudulent practices touching elections, and defining the duties of certain officers therein named and the form of the ballots, and providing compensation for the services of such officers,'" approved March 11, 1867, and providing for the appointment of the necessary officers and clerks for holding such elections, approved May 13, 1869, have had the same under consideration, and have directed me to report the same back to the House with the recommendation, that it lie on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education, having considered House bill No. 480, entitled "An act to encourage teachers' institutes, report the same back with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education, to whom was recommitted House bill No. 340, to compel parents and guardians to send their children and wards to school, report the same back according to instructions with the following amendments, namely: Strike out section three, and make the numbers of the following sections correspond with such change.

Which report and bill were laid on the table.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 485, entitled "An act requiring conductors and engineers on passenger trains on railroads to stop at cities and incorporated towns, and fixing a penalty for the violation of this act," have duly considered the same and direct me to report the said bill back to the House, with the recommendation that the same lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 473, entitled "An act providing for the incorporation of companies formed for the purpose of constructing bridges for railway

or common roadway purposes, or both, over rivers and streams," have had the same under consideration, and direct me to report the same back, with the recommendation that the same pass.

Which report and bill were laid on the table.

On motion of Mr. Blocher, the House adjourned until Monday at two o'clock p. m.

W. K. EDWARDS, Speaker.

MONDAY AFTERNOON.

FEBRUARY 17, 1873, 2 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

The Journal of Saturday was read and approved.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

Your committee, to whom was referred House bill No. 456—a bill to amend the charter of the town of Clinton, Indiana, granting to the Board of Trustees of said town certain powers and legalizing certain acts of said trustees—have had the same under consideration, and return the same with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Wood offered the following resolution:

WHEREAS, Information has been received from the Secretary of State that about twenty-five reams of letter head paper is now in the office of the Secretary of State, which was procured for the use of the House of Representatives at the present session, and which said paper has already been paid for by the State; and,

WHEREAS, Said paper was procured under the impression that the custom heretofore pursued of ordering stationery for the use of members would be continued during this session; and,

WHEREAS, Said paper will be entirely useless after the adjournment of the General Assembly; therefore,

Resolved, That the Secretary of State be, and is hereby, directed to distribute said paper equally among the members of this House.

Which resolution was adopted.

Senate bill No. 98 was taken up—a bill to prevent carrying concealed weapons and to provide punishment therefor.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred House bill No. 435, having had the same under consideration, respectfully refer the same back to the House with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 418, having had the same under consideration, report the said bill back to the House with the recommendation that it lie on the table.

Which report was concurred in, and the bill laid on the table.

On motion of Mr. Satterwhite, the House took a recess until 3½ o'clock this p. m., to enable the members to attend the funeral of the wife of the State Librarian.

The House was called to order by the Speaker pursuant to the order for recess.

Senate bill No. 105 was taken up—a bill to authorize the Courts of Common Pleas to determine who the heirs, legatees, or distributees of a decedent are, and to order partial distribution of his estate among such heirs, distributees or legatees, prior to the final settlement of his estate, and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 127 was taken up—a bill in relation to the collection of promissory notes and contracts given for a patent right, or territory for a patent right, or taken in the course of, or under the pretence of establishment, an agency for the sale of any agricultural or other implements, authorizing the collection of judgments taken by default in certain cases to be enjoined, enlarging the defense to such notes and contracts when payable in bank, providing when such suits shall be commenced, and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 170 was taken up—a bill making an appropriation to Purdue University, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Education.

Senate bill No. 73 was taken up—a bill to amend sections 15 and 16 of an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof and declaring their duties, approved June 11, 1852, and providing for the election of the town marshal by the town trustees, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Senate bill No. 64 was taken up—a bill for the collection and publication of statistics.

Which bill was read a first time and referred to the Committee on Statistics and Emigration.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Enrolled Senate bill No. 29, entitled "A bill to provide for the enlargement of the State House grounds," with the engrossed copy, and find the same correctly enrolled.

Senate bill No. 162 was taken up—a bill to repeal an act repealing section 31 of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1869, and to authorize the records of deeds or transcripts thereof to be read in evidence in courts of justice in this State.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 160 was taken up—a bill to amend "An act to incorporate the Lawrenceburg Insurance Company," approved February 3, 1832.

Which bill was read a first time, and on motion of Mr. Cauthorn, laid on the table.

Senate bill No. 94 was taken up—a bill concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances, in cities having therein incorporated homes for friendless women.

Which bill was read a first time and referred to the Committee of Reformatory Institutions.

Senate bill No. 49 was taken up—a bill to amend sections 22, 23 and 57 of an act entitled "An act for the incorporation of cities and towns, defining their powers, providing for the election of the officers thereof and declaring their duties," approved June 11, 1852, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Senate bill No. 159 was taken up—a bill authorizing the purchase of stationery for the use of the county officers of this State, and the Circuit, Common Pleas, Superior and Criminal Courts, providing penalties for its violation, repealing all laws in conflict with this act, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Fees and Salaries.

Senate bill No. 116 was taken up—a bill to amend sections 95, 96 and 97 of an act entitled "An act providing for the settlement of decedents' estates, prescribing the rights, liabilities and duties of officers connected with the management thereof, and heirs thereto, and certain forms to be used in such settlements," approved June 17, 1852, and legalizing certain sales of real estate heretofore made by foreign administrators, and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Senate bill No. 155 was taken up—a bill to provide for the reimbursement of certain counties therein named of certain taxes illegally assessed and collected for the year 1869, and paid into the State Treasury, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Ways and Means.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 453, entitled "An act to legalize the incorporation of the town of Kentland, Newton county, Indiana, and the official acts of the several Boards of Trustees of said town, and all other officers of said corporation, under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties," approved June 11, 1852, and all by-laws, rules, regulations and proceedings adopted in pursuance thereof, have had the same under consideration and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred Senate bill No. 69, entitled "A bill authorizing and empowering cities incorporated under any general law of this State for the incorporation of cities, and owning real estate, to sell and convey the same in whole or in parcels, as the Common Council of such city or cities may deem expedient, and prescribing in what manner the same may be conveyed, and declaring an emergency," have had the same under consideration, and recommend its passage.

Which report was concurred in, the bill read a second time and passed to a third reading.

Mr. Tulley introduced House bill No. 502—an act to amend section 1 of an act to amend section 8 of an act entitled "An act to authorize and limit allowance by courts and boards and drafts upon the county treasurer," approved May 27, 1859.

Which bill was read a first time and referred to the Committee on Rights and Privileges.

On motion of Mr. Cauthorn, House bill No. 473 and the report of the Committee thereon, which had been passed over informally, was taken up, the report concurred in, the bill read a second time and ordered to be engrossed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in the following resolution of the House, to-wit:

Resolved by the House of Representatives, the Senate concurring, That the Secretary of State and the chairman of the House and

Senate Printing Committees be requested to procure the completion of the Agent of State's report: *Provided*, The same can be procured upon reasonable terms.

Also, that the Senate has concurred in the following resolution of the House, to-wit:

Resolved by the House of Representatives, the Senate concurring, That the Joint Standing Committee on the Public Library are herein instructed to inquire into and examine the condition of the Public Library of the State, its books, paper and Stationery accounts, and report by bill or otherwise, with the following amendments:

Between the words "stationery" and "accounts," insert the words "and all other;" in which the House is respectfully requested to concur.

Also, that the Senate has passed the following, to-wit:

Engrossed Senate bill No. 198 entitled, "A bill to provide for the organization of an experimental school, for the education of idiotic and feeble-minded children," and the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Woollen introduced House bill No. 503—a bill regulating the convening and adjournment of grand juries.

Which bill was read a first time and referred to the Committee on the Judiciary.

House bill No. 495 was taken up, and read a second time and ordered to be engrossed.

On motion of Mr. Butterworth, House bill No. 485 was taken from the table and recommitted to the Committee on Railroads.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 209—an act relating to the fencing of railroads and cattle guards thereon, have had the same under consideration and direct

me to report the same back to the House, with the recommendation, that the same lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 397—an act relating to fencing railroads and maintaining cattle guards thereon, and prescribing penalties, have had the same under consideration and direct me to report the same back to the House, with the recommendation, that the same be referred to the Committee on the Judiciary.

Which report was concurred in and the bill referred to the Committee on the Judiciary.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9:30 o'clock a. m.

W. K. EDWARDS,
Speaker.

TUESDAY MORNING.

February 18, 1873, 9:30 o'clock.

The House met pursuant to adjourment with the Speaker in the chair.

Prayer was offered by the Rev. B. W. Smith.

The journal of yesterday was read and approved.

Engrossed House bill No. 382 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Broaddus, Buskirk,

Butterworth, Clark, Cline, Cobb, Cole, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Heller, Hollingsworth, Hoyer, Isenhauer, Jones, Kirkpatrick, Martin, McConnell, North, Odle, Offutt, Peed, Prentiss, Reeves, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Thompson (of Spencer), Troutman, Walker, Wesner, Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—55.

Those who voted in the negative were, Messrs. Blocher, Cauthorn, Crumpacker, Givan, Gregory, Hatch, Henderson, King, Lenfesty, McKinney, Reno, Richardson, Smith, Spellman, Teeter, Tingley, Thompson (of Elkhart), Tulley, Whitworth and Wilson (of Blackford)—20.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 365 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Butterworth, Gronendyke, Hardesty, Henderson, Jones, King, North, Odle and Satterwhite—11.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Billingsley, Blocher, Buskirk, Butts, Cauthorn, Clark, Cobb, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hatch, Heller, Hollingsworth, Hoyer, Isenhauer, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, Offutt, Peed, Reeves, Richardson, Rumsey, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—62.

So the bill failed to pass.

Engrossed House bill No. 412 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Butterworth, Clark, Cline, Crumpacker, Furnas, Hardesty, Hatch, Hollingsworth, King, North, Odle, Reno, Riggs, Stanley, Teeter, Thompson (of Spencer), Troutman, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood and Woodard—23.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Broaddus, Buskirk, Butts, Cauthorn, Cobb, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Henderson, Hoyer, Isenhauer, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Thompson (of Elkhart), Tingley, Tulley, Wynn and Mr. Speaker—48.

So the bill failed to pass.

Engrossed House bill No. 424 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Buskirk, Butterworth, Cauthorn, Clark, Cole, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Givan, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Prentiss, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wolflin, Wood, Woodard, Wynn and Mr. Speaker—63.

Those who voted in the negative were, Messrs. Furnas, Gifford, King, Kirkpatrick, Lenfesty, Reeves, Tingley and Wilson (of Blackford)—8.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 473 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronenkyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—80.

Messrs. Crumpacker and Givan voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills, to whom was referred House bills Nos. 473 and 495, have compared the same with the original copies, and find them in all respects properly engrossed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act, to-wit:

Enrolled act No. 219, of the Senate, entitled "An act to provide for the enlargement of the State House grounds."

Engrossed House bill No. 416 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, King, Kirkprtrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—77.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker announced, that he had signed enrolled Senate act No. 29.

Engrossed House bill No. 395 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Miller, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rumsey, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—75.

Messrs. Gronendyke, Kirkpatrick, Odle and Tingley voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 415 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith. Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wil-

lard, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—81.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 389 was taken up, which bill had been heretofore read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baxter, Broaddus, Butterworth, Cobb, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Gifford, Glasgow, Gronendyke, Kimball, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Reeves, Riggs, Rumsey, Satterwhite, Schmuck, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wolflin, Woodard, Wynn and Mr. Speaker—36.

Those who voted in the negative were, Messrs. Anderson, Barker, Barrett, Blocher, Bowser, Buskirk, Butts, Cauthorn, Clark, Claypool, Cline, Durham, Eaton, Ellsworth, Furnas, Givan, Glasgow, Goble, Goudie, Gregory, Hardesty, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Martin, McConnell, McKinney, Offutt, Peed, Prentiss, Reno, Richardson, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tulley, Willard, Wilson (of Blackford), and Wood—45.

So the bill failed to pass.

Engrossed House bill No. 272 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cobb, Cole, Crumpacker, Eaton, Ellsworth, Eward, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hel-

ler, Henderson, Hollingsworth, Jones, King, Kirkpatrick, Lenfesty, McConnell, North, Odle, Prentiss, Reeves, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Wood and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Barrett, Billingsley, Blocher, Buskirk, Cauthorn, Cline, Durham, Edwards (of Lawrence), Furnas, Gifford, Givan, Goudie, Hoyer, Isenhauer, Kimball, McKinney, Miller, Offutt, Ogden, Peed, Reno, Riggs, Schmuck, Spellman, Tingley, Wesner, Woodard and Wynn—28.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 306 was taken up, read a third time and, on motion of Mr. Walker, the consideration of the same was made a special order for to-morrow at 2 o'clock p. m.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act of the Senate No. 219, entitled—an act to provide for the enlargement of the State House Grounds.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 56, entitled "A bill authorizing the appropriation of money out of the State Treasury for the use of the Indiana University located at Bloomington, Monroe county."

And the same is herewith returned to the House of Representatives.

Engrossed House bill No. 344 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Blocher, Bowser, Branham, Broaddus, Buskirk, Butts, Clark, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley, Wolflin, Wood, Wynn and Mr. Speaker—70.

Messrs. Riggs and Woodard voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 275 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Cole, Crumpacker, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of

Elkhart), Thompson (of Spencer), Troutman, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Wynn and Mr. Speaker—67.

Those who voted in the negative were, Messrs. Barrett, Claypool, Cline, Durham, Eaton, Gregory, Isenhauer, Reno, Richardson, Tulley, Willard and Woodard—12.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have, this 18th day of February, 1873, presented Senate Enrolled bill No. 29, entitled "An act to provide for the enlargement of the State House grounds," to the Governor for his signature and approval.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Engrossed House bill No. 349 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Billingsley, Bowser, Butterworth, Cauthorn, Glazebrook, Gregory, Henderson, Hoyer, Kimball, King, Miller, Ogden, Prentiss, Satterwhite, Schmuck, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Tulley, Walker, Whitworth, Willson (of Ripley), Wood and Wynn—26.

Those who voted in the negative were, Messrs. Anderson, Barker, Baxter, Blocher, Branham, Broaddus, Butts, Clark, Claypool, Cline, Cobb, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Gifford, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, North, Odle, Offutt, Peed, Reeves, Reno, Richardson, Rumsey, Scott, Shirley, Shutt, Thompson (of Spencer), Troutman, Wesner, Wilson (of Blackford), Woodard and Mr. Speaker—47.

So the bill failed to pass.

Engrossed House bill No. 356 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Bowser, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Goble, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—73.

Those who voted in the negative were, Messrs. Furnas, Goudie, Gregory, Peed and Reno—5.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball, chairman of the Committee on Ways and Means, introduced House bill No. 504—an act supplemental and amendatory to an act entitled "An act to provide for the uniform assess

ment of property, and for the return of taxes thereon," approved December 21, 1872.

Which bill was read a first time.

Mr. Branham moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended.

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cowgill, Durham, Edwards (of Lawrence), Ellsworth, Eward, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, North, Odle, Peed, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Willard, Wilson (of Blackford), Wolflin, Wood and Woodard—62.

Those who voted in the negative were, Messrs. Barker, Bowser, Claypool, Crumpacker, Eaton, Furnas, Givan, Goble, Goudie, Hedrick, Heller, Martin, McConnell, Miller, Offutt, Ogden, Prentiss, Peed, Shirley, Smith, Teeter, Tulley, Whitworth, Willson (of Ripley) and Mr. Speaker—23.

So the constitutional rule was suspended and the bill read a second time by its title.

Whereupon Mr. Givan offered the following amendment:

Amend section six by striking out "sixty," and insert in lieu thereof "forty."

Mr. Walker moved to lay the amendment on the table.

Messrs. Tulley and Schmuck demanded the ayes and noes.

The question being, shall the amendment be laid on the table.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Buskirk, Butterworth,

Butts, Cole, Cowgill, Edwards (of Lawrence), Ellsworth, Gronendyke, Hardesty, Hatch, Henderson, Jones, Kimball, Kirkpatrick, Lenfesty, Mellett, North, Ogden, Peed, Prentiss, Reeves, Riggs, Satterwhite, Smith, Tingley, Thompson (of Elkhart), Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard and Mr. Speaker—40.

Those who voted in the negative were, Messrs. Barker, Blocher, Bowser, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Eaton, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Martin, McConnell, McKinney, Miller, Odle, Reno, Richardson, Rumsey, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thompson (of Spencer), Troutman, Tulley, Whitworth and Wynn—44.

So the amendment was not laid on the table.

Mr. Buskirk offered the following amendment to the amendment offered by Mr. Givan:

Amend section six, by inserting fifty cents for each description of real estate.

Mr. Schmuck moved to lay the amendment to the amendment offered by Mr. Buskirk, on the table.

Whereupon Messrs. Schmuck and Tulley demanded the ayes and noes.

The question being, shall the amendment to the amendment be laid on the table?

Those who voted in the affirmative were, Messrs. Baker, Blocher, Cauthorn, Clark, Claypool, Cline, Crumpacker, Gifford, Givan, Glasgow, Glazebrook, Gregory, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Martin, McConnell, Miller, Reno, Richardson, Riggs, Satterwhite, Schmuck, Scott, Shirley, Spellman, Thompson (of Elkhart), Troutman, Tulley, Wesner, Willard, Wolflin, Wynn and Mr. Speaker—38.

Those who voted in the negative were, Messrs. Anderson, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cole, Cowgill, Edwards (of Lawrence), Furnas, Goble,

Goudie, Gronendyke, Hardesty, Hatch, Heller, Jones, Kimball, Kirkpatrick, Lenfesty, Mellett, North, Odle, Ogden, Peed, Prentiss, Reeves, Rumsey, Shutt, Smith, Stanley, Teeter, Tingley, Thompson (of Spencer), Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), and Wood—43.

So the amendment to the amendment was not laid on the table.

The amendment to the amendment was then adopted.

Mr Edwards, of Lawrence, offered the following amendment:

Amend the first section so as to make the taxes payable and collectable but once a year.

Which amendment was not adopted.

The bill as amended was then considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Heller, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McKinney, Mellett, North, Odle, Offutt, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wolflin, Wood, Woodard and Wynn—76.

Those who voted in the negative were, Messrs. Claypool, Givan, Gregory, Hedrick, Johnson, McConnell, Ogden, Rumsey, Tulley and Mr. Speaker—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 446, having had the same under consideration, direct me to report the same back to the House, with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 347, entitled "An act to amend sections 155, 159 and 180, of an act to provide for the uniform assessment of property," approved December 21, 1872, have had the same under consideration and beg leave to report as a substitute a bill supplementary to said act of December 21, 1872, entitled an act to amend an act approved December 21, 1872, believing as the committee does that the supplementary bill which they offer embodies all the amendments which in their opinion should be made to the present revenue law. The committee respectfully recommend the passage of the bill when offered.

Which report was concurred in, and the bill laid on the table.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred House bill No. 207, having had the same under consideration, direct me to report the same back to the House with the recommendation that it lay on the table.

Which report was concurred in, and the bill laid on the table.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means, to whom was referred Senate bill No. 155, having had the same under consideration, report the same back to the House with the recommendation that it do pass.

Which report was concurred in, and the bill read a second time.

Mr. Schmuck offered the following resolution:

MR. SPEAKER:

One Mr. A. C. Edmonds having violated the provisions of this House, and published false and slanderous statements relative to the members thereof; therefore,

Resolved, That A. C. Edmonds be denied the privilege of this House, and the Doorkeeper be and is hereby requested to enforce this resolution.

Which resolution was adopted.

House bill No. 414 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Bowser, Butterworth, Claypool, Cline, Cobb, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Hatch, Henderson, Hoyer, Kirkpatrick, Mellett, Miller, Odle, Ogden, Prentiss, Richardson, Riggs, Satterwhite, Schmuck, Scott, Teeter, Thompson (of Elkhart), Wesner, Willard and Willson (of Ripley)—36.

Those who voted in the negative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Butts, Cauthorn, Clark, Cole, Furnas, Givan, Goble, Goudie, Hedrick, Heller, Isenhaner, Jones, Kimball, Lenfesty, Martin, McConnell, McKinney, Smith, Spellman, Thompson (of Spencer), Tingley, Troutman, Tulley, Walker,

Whitworth, Wilson (of Blackford), Wolflin, Wood, Wynn and Mr. Speaker—40.

So the bill failed to pass.

On motion Senate bill No. 160 was taken up.

Mr. Cauthorn moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended.

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Billingsley, Blocher, Bowser, Branham, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glazebrook, Gregory, Gronendyke, Hardesty, Heller. Henderson, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Wolflin, Wood, Woodard and Wynn—66.

Those who voted in the negative were, Messrs. Baxter, Broaddus, Butts, Crumpacker, Durham, Eward, Goble, Martin, Peed, Prentiss, Walker and Mr. Speaker—12.

So the constitutional rule was suspended, the bill was read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Barrett, Blocher, Branham, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Gregory, Gronendyke, Heller, Henderson, Hoyer, Isenhauer, Kimball, McConnell, Mellett, Offutt, Reno, Richardson, Riggs, Schmuck, Spellman, Stanley, Thompson (of Spencer), Wesner, Whitworth, Wolflin, Wood and Woodard—40.

Those who voted in the negative were, Messrs. Barker, Billingsley, Broaddus, Buskirk, Butterworth, Crumpacker, Durham, Eward, Glasgow, Glazebrook, Goble, Goudie, Haresdty, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Rumsey, Scott, Shutt, Smith, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wilson (of Blackford), Wynn and Mr. Speaker—41.

So the bill failed to pass.

Mr. Offutt offered the following resolution:

Resolved, That the Committee on Railroads be, and the same are hereby instructed, to report back to the House the bill now in their possession, on the subject of regulating passenger fares and tariff of freights on all railroads in this State.

Which resolution was adopted.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred Senate bill No. 6—an act concerning the transportation of freights and passengers over railroads within this State, repealing all laws in conflict with this act and providing penalties, declaring an emergency etc., have had the same under consideration and direct me to report the same back to the House, with the recommendation, that the same take its place on the files.

Mr. King, chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 158—an act declaring all railroad companies in the State of Indiana, common carriers, to regulate fare, tariff of freights etc., have had the same under consideration, and recommend that the same be referred back to the House, with the recommendation, that it take its place on the files.

Mr. Branham from the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred Senate bill No. 115—a bill to prevent extortionate charges for, and unjust discrimination in the transportation of freights by railroad companies and other common carriers, and to provide when such extortions or discriminations are practiced, and for the assessment of claims—have had the same under consideration, and direct me to report the same back with the following amendments:

In section 1, line 6, after the word "transportation," insert the following: "At any station or other place where such company is accustomed to receive freight."

In section 1, line 9, after the word "carried," insert the following: "And the character and extent of the company."

In section 2, line 3, after the word "transportation," insert the following: "According to the provisions of the first section of this act."

In section 2, line 6, erase the following words after the word "refusal," "double the amount."

In section 2, line 7, after the word "thereof," insert the following: "Together with twenty-five per cent. in addition thereto."

In section 5, line 1, after the word "act," strike out all after the remainder of the section, and insert in lieu thereof, "shall, at the request of the shippers, consignee, or their agents be, by the agent of such company or common carriers, indorsed on the bill of lading, and signed by the shipper, consignee or agent."

In section 7, line 4, after the word "road," erase "as large or larger, or," and insert in lieu thereof, "a."

In section 7, line 6, all of the remaining section, after the word "over," and insert in lieu thereof the folllowing: "the entire length of said railroad in the State of Indiana."

In section 8, line 9, erase the following, after the word "railroad," "as large or larger, or," and insert in lieu thereof the letter "a."

In section 8, line 11, after the word "over," erase the following: "a greater distance," and insert in lieu thereof, "the entire length of such road in the State of Indiana."

In section 9, erase all of section 9, and insert in lieu thereof, "It shall be the duty of all the railroad companies, or other companies, or persons operating a railroad in this State, or acting as common carriers, to report or cause to be reported, on or before the first day of April, 1873, a printed list or schedule of the usual and customary prices charged and received by said company, for carrying and and trrnsporting goods, freights and material over the entire line of such road in the State of Indiana, designating the same as per package, bulk, car, ton and hundred pounds, according to the mode in which the price of goods or freights are commonly determined, and shall cause such schedule to be posted up in a conspicuous place in or about the freight-house, depot or stations of such company, along the line of its road in the State of Indiana; and for failure so to do, the company so failing shall not be entitled to recover or collect any freight or charges at or from such station where such schedule shall not be posted.

Sec. 10. All railroad or other companies, whether oganized under the law of this State or other States, controlling and operating railroads in this State, under lease, or that may hereafter control and operate railroads in this State, under lease, shall operate such leased railroad or railroads upon the terms and subject to the liabilities upon which the lessor companies might operate such leased railroad or railroads, and shall be as fully subject to all the provisions of this act as a railroad company operating its own line.

Sec. 11. An emergency is hereby declared to exist for the immediate taking effect of this act; therefore, the same shall be in force and take effect from and after its passage.

After the adoption of the above amendments, the committee recommend its passage.

On motion of Mr. Branham, Senate bills Nos. 6 and 115, and House bill No. 158, and the reports thereon, were made a special order for Thursday next at 2 o'clock p. m.

Engrossed House bill No. 429 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barrett, Bax-

ter, Billingsley, Bowser, Clark, Cole, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, King, Mellett, Miller, Richardson, Rumsey, Satterwhite, Scott, Smith, Spellman, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Willson (of Ripley), Wynn and Mr. Speaker—36.

Those who voted in the negative were, Messrs. Anderson, Barker, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Glasgow, Gronendyke, Hedrick, Jones, Kirkpatrick, Martin, McConnell, McKinney, North, Ogden, Peed, Prentiss, Reeves, Reno, Riggs, Schmuck, Stanley, Teeter, Tulley, Wesner, Wilson (of Blackford), Wood and Woodard—35.

So the bill failed to pass.

Mr. Satterwhite was granted an indefinite leave of absence.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Enrolled House bill No. 56, entitled "An act authorizing the appropriation of money out of the State Treasury, for the use of the Indiana University, located at Bloomington, Monroe county," with the original copy, and find that the same is correctly enrolled.

The Speaker announced that he had signed Enrolled House act No. 56.

Mr. Richardson presented the claim of H. Clay, for services in making copies of vouchers to be used by the Attorney General in suits against ex-State Printers, $750, which was referred to the Committee on Claims.

On motion of Mr. Blocher, the House adjourned until to-morrow at 2 o'clock p. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

WEDNESDAY MORNING.

February 19, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when, on motion of Mr. Hatch, the further reading of the same was dispensed with.

Mr. Broaddus, chairman of the Committee on Engrosed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed House bills Nos. 453, 456, 489 and 446 with original copies, and find them in all things correctly engrossed.

Engrossed House bill No. 430 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas Gifford, Givan, Goble, Gregory, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Rudder, Rumsey, Scott, Shutt, Smith, Spellman, Stanley, Strange, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—68.

Those who voted in the negative were, Messrs. Baker, Reno, Schmuck and Teeter—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 447 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Cline, Cobb, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Goble, Goudie, Gronendyke, Hatch, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Martin, McConnell, McKinney, Mellett, North, Odle, Offutt, Peed, Prentiss, Reeves, Rudder, Schmuck, Shutt, Smith, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—54.

Those who voted in the negative were, Messrs. Barker, Butts, Cauthorn, Clark, Claypool, Eaton, Furnas, Gregory, Hardesty, Hedrick, Henderson, Kirkpatrick, Lenfesty, Ogden, Reno, Richardson, Rumsey, Scott, Spellman, Strange, Teeter, Walker, Wesner and Wolflin—24.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 362 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Branham, Broaddus, Buskirk, Butterworth, Butts, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Ellsworth, Eward, Givan, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Henderson, Hollingsworth, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Schmuck, Scott, Shutt, Smith, Spellman, Strange, Teeter, Thay-

er, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Wynn—64.

Those who voted in the negative were, Messrs. Anderson, Baker, Billingsley, Bowser, Cauthorn, Clark, Edwards (of Lawrence), Furnas, Glasgow, Gronendyke, Hedrick, King, Riggs and Mr. Speaker—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 153, entitled—a bill to amend an act entitled "An act to create a State Normal School, and declaring an emergency," approved December 20, 1865, and adding supplemental sections thereto and providing for certain appropriations.

Also, that the Senate has passed with the accompanying engrossed amendments engrossed House bill No. 213, entitled " A bill defining cruelty to animals, declaring it a misdemeanor and providing a penalty therefor.

Also, that the Senate has passed with the accompanying engrossed amendments engrossed House bill No. 188, entitled " A bill to amend section 433 of an act entitled an act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State; to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Also, that the Senate has passed with the accompanying engrossed amendments engrossed House bill No. 200 entitled—a bill

to authorize and empower Boards of County Commissioners to equalize county bounty to soldiers, to issue bonds or orders therefor, to levy and collect taxes for the redemption of such bonds or orders, declaring how such taxes may be collected, when such bonds and orders shall be issued, the time when they shall be paid, the rate of interest thereon, and legalizing such as have been issued, and declaring an emergency.

Also, that the Senate has passed with the accompanying engrossed amendments engrossed House bill No. 137, entitled—a bill to amend section 103 of an act entitled " An act to revise, simplify and abridge the rules of practice, pleadings and forms in criminal actions in the courts of this State."

In which amendments the House is respectfully requested to concur.

Also, that the Senate has passed the following House bill, to-wit:

Engrossed House bill No. 118, entitled " A bill making the parties competent witnesses as to certain matters in action by executors or administrators upon contracts assigned to the decedents," and the same are herewith transmitted to the House.

Mr. Jones, from the Committee on Insurance, submitted the following majority report:

Mr. Speaker:

Your Committee on Insurance, to whom was referred House bill No. 350, entitled " A bill to organize insurance companies, and regulating the business of insurance in the State of Indiana," have had the same under consideration, and request me to report the same back to the House with the following amendments, viz:

Amend sections 2, 3, 4, 5 and 6 so that the same will read as follows:

Sec. 2. The persons referred to in the first section of this act, shall be designated corporators, and they shall file in the office of the Auditor of State, a declaration signed by each of them, setting forth their intention to form a company for the purpose named in this act, which shall include a copy of the articles of association

they propose to adopt; which articles of association shall set forth the name and plan of organization of the companies, whether stock or mutual, and the amount and description of capital not less than one hundred thousand dollars, the place where it is to be located, the kind of business to be undertaken, the mode and manner in which the corporate powers of the company are to be exercised, the manner of electing the trustees or directors and officers and the number thereof, the time of such election, the manner of filling vacancies, the amount of capital to be employed, and such other particulars as may be necessary to explain and make manifest the objects and purposes of the company, and the manner in which it is to be conducted.

Sec. 3. Whenever the corporators shall file such declaration with the Auditor of State, he shall submit the same to the Attorney General for examination, and if found by him to be in accordance with the provisions of this act, and not inconsistent with the Constitution and laws of the United States, and of this State, he shall certify to the same and deliver it to the Auditor of State, who shall cause the said declaration, with the certificate of the Attorney General, to be filed away after the same has been recorded in a book to be kept for that purpose, and upon application of the corporators, or a majority of them, to the said Auditor, it shall be his duty to furnish to them a certified copy of such declaration and certificate under his seal of office.

Sec. 4. Whenever the incorporators shall have received from the said Auditor the certified copy provided for in the preceding section, and desire to proceed to organize such company, they shall publish their intention in a newspaper published in the county, or if none be published in the county in which said company is to be organized, then in a paper having general circulation therein published in this State; and when such intention has been published in said paper for six weeks, they may open books to receive subscriptions to the capital stock, and keep such books open until the amount required by this act is subscribed, and may then proceed to distribute the stock among the subscribers, if more than the necessary amount is subscribed, and proceed to collect in the said capital and complete the organization of the company. The Auditor, upon notice to him that the capital stock named in the articles has been subscribed and paid in, shall make an examination, or cause

one to be made by some disinterested person specially appointed by him for that purpose or by his deputy, and if upon examination it shall be found by the Auditor or his deputy, or certified to him by the person so appointed under oath, that the provisions of this act have been complied with by said company, so far as applicable thereto, which certificate when made shall set forth the particulars of said compliance, then the Auditor shall so certify, and the corporators or officers of such company shall be required to certify, under oath to the person making such examination, that the money or required securities exhibited to him are the bona fide property of said company.

Sec. 5. Whenever the corporators shall have fully organized such company and the Auditor of State shall be furnished with satisfactory evidence that the required amount of capital has been paid in, invested and deposited, which with a certified copy of all the papers elsewhere required, under this act, shall, when filed in the county clerk's office, in the county where the company is to be located, be the authority to commence business, and issue policies, and the same may be used in evidence for and against the corporation in all suits. All such companies may, in their corporate name, sue and be sued, appear, prosecute and defend to final judgment, and have a common seal which they may alter at pleasure. They may adopt by law not inconsistent with their articles of association, or this act, or the constitution and laws of the State, as may be deemed necessary for the management of its affairs.

Sec. 6. No insurance company organized under any general or special law of this State, shall adopt the name of any existing insurance company or association, transacting business in this State, or any name so simalar thereto as to be calculated to mislead the public, and the Auditor of State is hereby prohibited, from granting necessary certificate to any such company adopting a name prohibited by this act, to enable it, to procure the authority to do business.

Amend section eight as follows: Strike out "insurance commission," where it occurs, and insert "Auditor of State."

Amend section nine, by striking out "insurance commissioners" and "commission," where it occurs, and insert "Auditor of State."

Amend sections 10 and 12, so that the same read as follows:

SEC. 10. The Auditor of State and Treasurer may deliver up to any insurance company the securities held by the Treasurer in virtue of this act, and belonging to such company, on being satisfied by the exhibition of the books and papers of such company or association, and on examination to be made by the Auditor or some competent person to be appointed by him, not an officer of any insurance company in this State, and upon the oath of the president or principal officer, and the secretary of the same, or a majority of the trustees or directors, that all debts and liabilities of every kind are paid and extinguished that are due, and may become due upon any contract or agreement made with any corporative person or persons, and the said Auditor and Treasurer may also from time to time deliver up to such company or association, or its assignees, any portion of said securities on being satisfied in manner and form aforesaid, or by any other competent proof, that all the debts and liabilities of every kind that are due or may become due upon any contract or agreement, made as aforesaid by said company, are less than one-half of the amount of the portion of said securities that shall be retained on deposit, after such portion has been withdrawn, but before they shall so deliver up the whole or any portion of said securities, they shall advertise in some daily newspaper, published in the city of Indianapolis for three months, the intention to do so, unless good cause is shown why they shall not be so delivered up, the costs of such advertising to be paid by such company.

SEC. 12. No life insurance company organized under the laws of this State shall issue policies insuring fire, marine, or accident, or live stock risks, or to do any banking business; nor shall any insurance company do any banking business.

Amend section 15 by striking out "charter" and inserting "articles of association."

Amend section 16 by striking out the word "two," before the word "hundred," in line 8, and insert the word "one."

Amend section 18 by striking out the words "insurance commissioners" and "commissioners," where they occur, and insert "Auditor of State."

Amend section 19 by inserting after the word "charter" the words "or articles of association." Also, strike out "insurance commissioners" and insert "Auditor of State."

Amend section 20 by inserting after the word "charter," wherever it occurs, the words "or articles of association."

Amend section 22 by striking out the word "members" and inserting the word "stockholders."

Amend section 23 by striking out the word "commissioners" and inserting the word "auditor."

Amend section 24 by striking out the word "commissioner," in the first line, and inserting the word "auditor." Also, striking out all of said section after the word "section," in line 11.

Also, strike out sections 25 and 26.

Also, amend section 27 by striking out the word "cash." Also, by striking out the words "in the insurance department," and insert the words "with the Auditor of State."

Amend section 28 by striking out the words "insurance commissioners," in line 2, and insert "Auditor of State." Also, strike out all of said section after line 10 to and including line 14. Also, strike out all of said section after the word "substituted," in line before the last.

Amend section 29 so that the same shall read as follows: "No foreign insurance company not organized in the United States shall do business in this State, unless it has in deposit with the Treasurer of this State for the benefit of all its policy holders in the United States the sum of one hundred and fifty thousand dollars invested and valued, as prescribed in section 8 of this act: *Provided, however*, That in cases of such foreign insurance company has its principal agency in the United States in any State where by the law of such State such companies are requred to deposit an amount equal to or greater than is required by this section, such company may file with the Auditor of this State a certificate made by the officer holding deposits that he holds a deposit made by such company in amount equal to the deposits required by this section, and then no deposit shall be required in this State from such company while the deposit so certified remains sufficient."

Strike out sections 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, and insert the following:

"Every life insurance company incorporated in this State, or doing business in this State, shall, on or before the first day of March in each year, transmit to the Auditor and file in his office a statement of the business standing and affairs in the form prescribed or authorized by law, and adapted to the business done by such company, signed and sworn to by the President or Vice-President and Secretary, and made out for the year ending on the preceding 31st day of December.

Sec. 6. The form for life insurance companies shall be as follows:

First. Name of the company.

Second. When chartered.

Third. For what period.

Fourth. Where located.

Fifth. State in full the assets of the company.

Sixth. Number of shares owned in any bank. State par value, cost, and market value per share.

Ninth. Amount invested in real estate at cost on books of company.

Tenth. Amount loaned on mortgages of real estate, and estimated value of said real estate.

Eleventh. Amount loaned on notes secured by collaterals of personal property.

Twelfth. Amount loaned on notes without collaterals.

Thirteenth. State in full all other investments.

Fourteenth. How much included in the foregoing statement of assets, consisting of premium notes on policies not returned as now in force.

Fifteenth. Number and amount of each class or kind of policies which have, within the year, ceased to be in force, how terminated; what has been paid to the legal holders of the policies.

Sixteenth. Amount of losses ascertained and unpaid.

Seventeenth. Amount of losses claimed against the company; whether acknowledged as due or not by the company.

Eighteenth. Amount due from the company on its declared, promised or acknowledged indebtedness, or other claims, including dividends, bonuses, or distribution of surplus, or as profits.

Nineteenth. Amount received for premiums the past year.

Twentieth. Amount received for premiums in cash.

Twenty-first. Amount received for premiums in promissory notes or securities.

Twenty-second. Amount received for interest the past year.

Twenty-third. Amount paid for interest for the past year.

Twenty-fourth. Amount of guarantee fund, and state particularly whether the same are in cash or subscription notes.

Twenty-fifth. How are dividends, distribution of surplus funds, bonuses, or estimated profits paid, whether in cash, scrip, or otherwise; on credit, and whether on demand, or if on credit for what length of time, and whether payable at a specific time or indefinitely at the discretion of the company.

Twenty-seventh. Amount paid for expenses, taxes and commissions, the past year, classified.

Sec. 7. All life insurance companies chartered or organized in any other State of the United States, or beyond the limits of the United States, and doing business in this State, shall make an annual statement of their condition and affairs to the Auditor of State, in the same manner and in the same form as similar companies organized under the laws of this State. The Auditor shall have authority to extend the time for filing such statement, for reasons which he shall deem good and sufficient, whether the company is organized in this State or elsewhere. The statements herein provided for shall be in lieu of any and all statements now required by any existing law.

Sec. 8. Life insurance companies chartered beyond the limits of the United States, and doing business in this State, shall make a return of their standing, on the thirty-first day of December in each year agreeable to the form required by this act of other companies, doing a similar business in this State, said return to be made to the Auditor on or before the first day of April annually, and verified and sworn to before some consul or vice consul of the United States by two or more of the principal officers of such insurance company.

Sec. 9. Any company doing business in this State, neglecting to make returns in the manner and within the time herein before authorized and prescribed, shall forfeit one hundred dollars for each

days business. Any new business by any company or its agents in this State after neglect to make the prescribed returns, shall be deemed to be doing violation of law.

Sec. 10. When the actual funds of any life insurance company doing business in this State, are not of a net value equal to the net value of its policies, according to the American experience rate of mortality, with interest four and half per cent. per annum, it shall be the duty of the Auditor to give notice of such company and its agents to discontinue issuing new policies within this State until such time as its funds have become equal to its liabilities valueing its policies as aforesaid. No officer or agent, after such notice has been given, shall issue or deliver new policies within this State from and on behalf of such company, before its funds have become equal to its liabilities as aforesaid.

Sec. 11. When any life insurance company organized under the laws of this State shall transact business in any other State, it may invest its surplus funds in such State in like security and under the same restrictions as in this State.

Sec. 12. The Auditor is hereby authorized and empowered to address any inquires to any life insurance company or to the secretary thereof, in relation to its doings or conditions or any other matter connected with its transactions, and it shall be the duty of any such company so addressed, to reply promptly in writing to any such inquiries, and all such companies not incorporated under the laws of this State, failing to answer all such inquiries, shall not be authorized to transact any business in this State and their certificates of authority may be revoked and cancelled. It shall be the duty of the Auditor to make or cause to be made an examination of the condition and affairs of any life insurance company, doing business in this State, whenever he shall deem it expedient to do so, and also, whenever he shall have good reason to suspect the correctness of any annual statement or that the affairs of any company making such statements are in an unsound condition.

Sec. 13. Life Insurance companies doing business in this State, which do business upon the principle of mutual insurance, or the members of which are entitled to share in the surplus funds thereof may make distribution of such surplus, as they may have accumulated annually once in two, three, four or five years as the

directors thereof may from time to time determine. In determining the amount of the surplus to be distributed, there shall be reserved an amount not less than the aggregate net value of all the outstanding policies. Said value to be completed by the American experience rate of mortality with interest, at the rate of four and one-half per cent.

SEC. 21. It shall be the duty of the president or vice-president and secretary of each company organized under this act, or incorporated under any laws of this State, annually on the first day of January of each year, or within one month thereafter, to prepare under their own oath, and deposit in the office of the Auditor of State, a statement of the condition of such company on the 31st day of December then next preceding, exhibiting the following facts and items, in the following form, namely: first, the amount of the capital stock of the company actually paid in; second, the property or assets by the company, specifying—

First. The value or nearly as many as may be of the real estate held by such company.

Second. The amount of cash on hand and deposited in banks to the credit of the company, specifying in what banks the same is deposited.

Third. The amount of cash in the hands of agents and in course of transmission.

Fourth. The amount of loans secured by mortgages and bonds constituting the first liens on real estate, on which there shall be less than one year's interest due or owing.

Fifth. The amount of loans on which interest shall not have been paid within one year previous to such statement.

Sixth. The amount due the company, on which judgments have been obtained.

Seventh. The amount of stocks of this State, of the United States, of any incorporated city of this State, and of any other stocks owned by the company, specifying the amount, number of shares at par and market vulue of each kind of stocks.

Eighth. The amount of stocks held thereby as collateral security for loans, with the amount loaned on each kind of stock, its par and market value.

Ninth. The amount of assessments on stocks or premium notes (paid and unpaid), specifying each.

Tenth. The amount of interest actually due and unpaid.

Eleventh. The amount of premium notes on hand on which licies are issued.

Twelfth. The amount of installment notes on hand on which licies are issued.

Third. The liabilities of such company, specifying—

1st. The amount of losses due and yet unpaid.

2d. The amount of claims for losses remitted by the company.

3d. The amount of losses incurred during the year, including ose claimed and not yet due, and including the probable amount those reported to the company, upon which no action has been ken.

4th. The amount of dividends declared and due and remaining ıpaid.

5th. The amount of dividends, if any, declared but not yet ıe.

6th. The amount of money borrowed and security, if any, ven for the payment thereof.

7th. All other existing claims against the company, and also e gross amount of outstanding risks, and the gross amount of emiums thereon unearned.

Fourth. The income of the company during the preceding year, ecifying—

1st. The amount of cash premiums received.

2d. The amount of notes received for premiums.

3d. The amount of interest money received.

4th. The amount of income received from other sources.

Fifth. The expenditure during the preceding year, specifying—

1st. The amount of losses paid during the year, stating how ıuch of the same accrued prior, and how much subsequent, to the ıte of the preceding statement, and the amount at which losses ere estimated in such preceding statement, and the amount of ıvidends paid during the year.

2d. The amount of expenses paid during the year.

3d. The amount of expenses paid during the year, including ommissions and fees to agents and officers of the company.

4th. The amouut paid in taxes, specifying the amount paid in ıis State.

5th. The amount of all other payments and expenditures.

It shall be the duty of the Auditor to establish a classification of risks into any number of classes, not less than four, according to the degree of hazard of such risks; and the Auditor shall require said company, as a part of the aforementioned statement, to give the number of policies in force covering property embraced in each of said classes, and the aggregate amount at risk upon property in each class. The Auditor of public accounts is hereby authorized and empowered to address any inquiries to any insurance company or the Secretary thereof in relation to its doings or condition of any other matter connected with its transactions; and it shall be the duty of the company so addresed to promptly reply in writing to any such inquires. The statement of any company, the capital of which is composed in whole or in part of notes, shall, in addition to the foregoing, exhibit the amount of notes originally forming the capital, and also what portion of said notes is still held by such company and considered capital. The statement herein provided for shall be in lieu of any and all statements now required by any existing law. Every insurance company organized under any law of this State failing to make and deposit such statements, or to reply to any inquiry of said Auditor, shall be subject to the penalty of five hundred dollars, and an additional five hundred dollars for every month that such company shall continue thereafter to transact any business of insurance. It shall be the duty of the Auditor of public accounts to cause to be prepared, and furnish to each of the companies, and to the attorneys of companies incorporated by other States and foreign governments, printed forms of the statements required by this act; and he may, from time to time, make such changes in the form of such statements as shall seem to him best adapted to elicit from the companies a true exhibit of their condition in respect to the several points hereinbefore mentioned. It shall be the duty of the Auditor of public accounts to cause the information contained in the statements required by this section to be arranged in a tabular form, and printed in his biennial report.

Every person acting for a life insurance company not incorporated in this State, shall exhibit, in conspicuous letters, on the sign designating his place of business, the name of the State under whose authority the company he represents has been incorporated; and said company and agents shall also have printed, in large type, the name of said State upon all policies issued to citizens of this

State, and on all placards, pamphlets and circulars published, issued or circulated in this State, by them or him, relating to the business of said company.

Whoever solicits insurance on behalf of any life insurance company, not chartered by and not established within this State, or transmits for any other person other than himself, an application for life insurance, or a policy for life insurance, to or from such company, or advertises that he will receive or transmit the same, shall be held to be agents of such company to all intents and purposes, and subject to all the duties, requisitions liabilities and penalties set forth in the laws of this State relating to life insurance companies not incorporated by the Legislature thereof.

Amend section 43 by striking out the word "commissioners," and insert "Auditor of State."

Amend section 45 so that the same shall read as follows:

The Auditor of State shall not issue any licenses to agents, to transact business within this State for any company, until such company has in all respects complied with the laws of this State, applicable to such companies. And the agents receiving such license, shall file it in the office of the county clerk, of the county where such agents may reside or transact business. All such license shall be renewed semi-annually in the months of January and July, and there shall be paid to the Auditor therefor the sum of two dollars each.

Amend section 46 and 57, so that the same shall read as follows:

No person as agent of any insurance company, without first procuring the license required by this act, or procure payment of or any obligations for the payment of any insurance premiums after revocation of his license.

Sec.—Any person violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, upon conviction shall be punished by a fine not exceeding five hundred dollars, to which may be added imprisonment in the county jail for not more than six months.

Also, amend by striking out sections 48, 49, 50, 51, 52, 53, 54, 55 and 56.

Amend section 57, by striking out the words "insurance commissioners," and inserting " Auditor of State."

Amend section 58, so that the same shall read as follows:

SEC. 58. The Auditor of State shall examine or cause to be examined not oftener than once each year every detail of the business of any company, transacting business of insurance in this State, if in his judgment, such examination is required by the interest of the policy holders of such company, and for the purposes of examination authorized by law, has power either in person or by deputy by him commissioned in writing—

First. To require free access to all books and papers within this State of any insurance company, or the agents thereof doing business within this State.

Second. To summons and examine under oath any person living within this State, relative to the affairs and condition of any company.

Third. For probable cause to require, not oftener than once each year at its principal office, wherever it may be, any insurance company doing business in this State, for the purpose of investigating its affairs and condition, and to revoke its certificates in this State, if it does not permit an examination.

Fourth. To revoke or modify any certificate of authority, when any condition prescribed by law for granting it to longer exist.

Fifth. The Auditor of State has also power to institute suits and prosecutions by the Attorney General, for any violation of this act, and the same shall be in the name of the State.

Strike out sections 59, 60, 61 and 62 and insert the following viz:

SEC. —. The Auditor of State shall be entitled to receive from the insurance companies doing business in this State, the following fees, viz: For filing declaration or certified copy of charter or articles of association, twenty dollars; for each annual statement, five dollars; for every copy of record or paper, per hundred words, ten cents; for official seal, fifty cents; for mileage in going to and returning, by the usually traveled route, from making any investigations or examinations required by this act, ten cents for each mile traveled; for making each examination or investigation, twenty dollars.

And when so amended your committee recommend the passage of the bill.

Mr. Givan, from the same committee, submitted the following minority report:

Mr. Speaker:

The undersigned minority of the Committee on Insurance have had under consideration House bill No. 350, and beg leave to submit the following minority report:

Amend bill, as printed as follows, to-wit: Amend section 2 as follows: Insert after the word "capital," in line 7, "not less than one hundred thousand dollars."

Amend section 4 as follows: Strike out after the word "and," in line 12, to and including the word "thereof;" in line 13.

Amend section 8 as follows: Insert after the word "company," in line 12, the following: "*Provided further*, That life insurance companies may make loans on policies in force, not exceeding 33⅓ per cent. of gross premiums."

Amend section 16 as follows: Strike out "in cash," in line 3.

Amend section 20 as follows: Add "or articles of association" after the word "charter," wherever it appears.

Amend section 27 as follows: Strike out "cash" in line 3.

Amend section 28 as follows: Strike out after the word "service," in line 9 to and including "State," in line 13; also, all after the word "substituted," in line 15.

Amend section 29 as follows: Strike out said section and substitute the following: "No insurance company not organized in this State for the benefit for all the policy holders of the United States, the sum of two hundred thousand dollars: *Provided, however*, Where such foreign insurance company has its principal agency in the United States in any State where by the law of such State such companies are required to deposit an amount equal or greater than the amount required by this section, such companies may file with the insurance commissioners a certificate made by

the officer of State holding such deposits that he holds a deposit made by such company in amount equal to the deposit required by this section, and in such case no deposit shall be required in this State."

Amend section 30 as follows: Insert after the word "Indiana," in line 5, "less losses actually paid within this State."

Amend section 36 as follows: Strike out after the word "securities," in line 3 to and including the word "act," in line 4.

Amend section 38 as follows: Strike out line 8 and insert the following—"or revoking all such licenses issued."

Amend section 46 as follows: Insert after the word "license," in line 4, "or otherwise violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction."

Amend by striking out section 47 and section 48.

Amend section 51 as follows: Strike out all after the word "principal," in line 7.

Amend section 58 as follows: Insert after the word "company," in line 4, "not oftener than once in each year."

Amend section 59 as follows: Insert after the word "companies," in line 7, the following—"after the 1st of July, 1874," and when so amended they recommend that the bill pass.

On motion, the bill and reports were laid on the table, and made the special order for Friday next at 10 o'clock a. m.

Engrossed House bill No. 446 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Kimball, King, Lenfesty, Martin, McKinney, Miller, North, Offutt, Ogden, Peed, Pren-

tiss, Reeves, Reno, Richardson, Riggs, Rudder, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart) Tingley, Troutman, Tulley, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—65.

Those who voted in the negative were, Messrs. Baxter, Cobb, Kirkpatrick, Odle, Scott and Wesner—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 198, was taken up—a bill to provide for the organization of an experimental school for the education of idiotic and feeble-minded children.

Which bill was read a first time and referred to the Committee on Benevolent and Scientific Institutions.

Senate Joint Resolution No. 8 was taken up—a joint resolution in relation to the cancellation of certain bonds of the State therein named.

Which joint resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, Miller, North, Odle, Offutt, Ogden, Reeves, Reno, Richardson, Riggs, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Wesner, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—72.

No one voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Engrossed Senate bill No. 153 was taken up—a bill to amend an act entitled, "An act to create a State Normal school," and declaring an emergency, approved December 20, 1865, and adding supplemental sections thereto, and providing for certain appropriations.

Which bill was read a first time and referred to the Committee on Education.

House bill No. 137 was taken up and the following engrossed Senate amendments thereto:

Engrossed Senate amendments to House bill No. 137:

Fourth. When the evidence is concluded, the prosecuting attorney and the defendant or his counsel may by agreement in open court submit the case to the court or jury, trying the same without argument. But if the case is not so submitted without argument, the prosecuting attorney shall have the opening and closing of the argument, but he shall disclose in the opening all the points relied on in the case, and if in the closing he refers to any new point or fact not disclosed in the opening, the defendant or his counsel shall have the right of replying thereto, which reply shall close the argument in the case. If the prosecuting attorneys shall refuse to open the argument, the defendant or his counsel may then argue the case and that shall be all the argument allowed in the case.

Fifth. The court must then charge the jury, which charge, upon the request of the prosecuting attorney, the defendant or his counsel, made at any time before the commencement of the argument, shall be in writing and the instructions therein contained numbered and signed by the court.

Sixth. If the prosecuting attorney, the defendant or his counsel desire special instructions to be given to the jury, such instructions shall be reduced to writing, numbered and signed by the party or

his attorney asking therein, and delivered to the court before the commencement of the argument.

Which amendment was read and put upon its passage.

Whereupon Messrs. Tulley and Johnson demanded the ayes and noes.

The question being, shall the amendment proposed by the Senate be concurred in?

Those who voted in the affirmative were Messrs. Baker, Barker, Baxter, Branham, Broaddus, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Crumpacker, Eaton, Eward, Furnas, Gifford, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Henderson, Johnson, Jones, Kimball, Kirkpatrick, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Richardson, Rudder, Schmuck, Shirley, Spellman, Strange, Teeter, Tingley, Thompson (of Spencer), Troutman, Tulley, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Woodard, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Bowser, Buskirk, Cowgill, Durham, Edwards (of Lawrence), Ellsworth, Givan, Goble, Hardesty, Isenhauer, Lenfesty, Offutt, Reno, Scott, Smith, Thayer, Thompson (of Elkhart), Willard and Wood—21.

So the amendment proposed by the Senate was concurred in.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act of the House, to-wit:

Enrolled act No. 56, of the House, entitled "An act authorizing the appropriation of money out of the State Treasury, for the Indiana University, located at Bloomington, Monroe county."

And the same has been delivered to the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have presented, this 19th day of February, 1873, enrolled House bill No. 56, entitled "An act authorizing the appropriation of money out of the State Treasury, for the use of the Indiana University, located at Bloomington, Monroe county," to the Governor for his approval and signature.

House bill No. 188, and the following engrossed Senate amendments thereto, were taken up:

Engrossed Senate amendments to House bill No. 188: Amend by striking out all after the word "viz," in line 3, on page 3, and insert in lieu thereof the following, to-wit: "When an execution against the property of any person is issued to the sheriff, he shall serve said execution upon the defendant or defendants in said county, and levy the same, if not paid, upon property, and make at least one offer to sell property levied upon, within sixty days after such execution comes to his hands, if property can be found, unless otherwise directed by the plaintiff, plaintiffs or his or their agents."

Which amendments were read and concurred in.

The Speaker laid before the House a communication from the Secretary of State, transmitting a memorial from the National Board of Trade of the United States.

Which was referred to the Committee on Federal Relations.

Mr. Billingsley made the following motion:

I move to reconsider the vote whereby Senate bill No. 160 failed to pass.

Which motion was passed over informally.

Mr. Lenfesty offered the following concurrent resolution:

WHEREAS, In the month of June in the year 1865, a citizen of Grant county, in the State of Indiana, named William C. Morgan, was murdered, or supposed to be murdered, under the following

circumstances: The said William C. Morgan, in company with James L. McCullough, left the State of Wisconsin on May 4th, 1865, by wagon road, to come to the State of Indiana, the said Morgan having and owning, and having in company with him a wagon and two good horses, said parties traveled together as far as Benton county, in this State, when the said Morgan wholly disappeared, and the said McCullough in possession of said wagon and horses returned to Henry county, in the State of Illinois, where his conflicting statements with reference to the manner in which he came into possession of said property aroused the suspicions of many and divers citizens, and also of said Morgan's father, Joseph Morgan, who, at his own expense, employed a detective, William W. Johnson, of the city of Indianapolis; and the said father, with the assistance of said detective, succeeded in obtaining sufficient evidence against the said McCullough upon which to find an indictment for grand larceny in the Circuit Court of Henry county, State of Illinois, in September, 1866.

In March, 1867, through the arduous and expensive labors of the said father, a conviction was had in said Circuit Court, and McCullough sentenced to the State Prison of the State of Illinois for a term of six years. That the said father at no time since the mysterious disappearance of his said son has relinquished his researches for evidence of the higher crime of murder, of which he believed McCullough guilty; and also has expended large sums of money and much time in search for the body of the victim. That on or about Christmas day, 1867, the body of young Morgan was found in a swamp in Benton county, Indiana, the inquest disclosing the fact that deceased came to his death by violence, his head being perforated with a rifle or pistol ball and ax, recognized as the one the parties had with them, striking in his skull; upon this and other strong circumstantial evidence, and at the expiration of his term in prison in Illinois, the said McCullough was re-arrested upon testimony of divers persons before the grand jury of Benton county, Indiana, charged with the murder of young Morgan, and now awaits his trial in Oxford, in Benton county, Indiana; and

Whereas, The witnesses necessary to have at said trial, reside in distant parts of the country, namely: Isaiah Coy, Miles Herrald, E. L. Hillington, are residents of Wisconsin. C. A. Ball, Jesse Smith and Blackstone of the State of Illinois. Richard and Johnathan Van Valkesburg and Loeb Hildreth of the State of

Iowa, besides witnesses in several parts of Indiana, all to be obtained at greater or less expense; and,

WHEREAS, The said Joseph Morgan is now an old man, age 68, and now a poor man having expended nearly all his means in trying to bring to justice the supposed murderer of his son; therefore, be it

Resolved by the House of Representatives, the Senate concurring therein, That there be and is hereby appropriated out of any monies in the treasury, the sum of $400 for the purposes of preparing the case of the State of Indiana vs. James L. McCullough, who now awaits his trial for the murder of Wm. C. Morgan, in September 1865, and which case stands for trial in the Benton county Circuit Court, March 31, 1873; be it further

Resolved, That said sum or parts thereof, shall be paid out to the said Joseph Morgan, the father, at the discretion of the Governor as he shall be satisfied, the same is being properly expended as in these resolutions contemplated.

Which was adopted.

On motion of Mr. Kimball the vote just taken on the passage of the above concurrent resolution was reconsidered, and further action on the same was passed over informally.

Engrossed House bill No. 453 was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Brett, Broaddus, Buskirk, Claypool, Cline, Cobb, Cole, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Scott, Shirley, Spellman, Stanley, Strange, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson

(of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard and Mr. Speaker—64.

Those who voted in the negative were, Messrs. Branham, Durham and Reno—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 456 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Clark, Claypool, Cline, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Goble, Gronendyke, Hardesty, Hatch, Henderson, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, Miller, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Spellman, Stanley, Strange, Thayer, Tingley, Thompson (of Spencer), Tulley, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Baker, Goudie, Gregory and Thompson (of Elkhart)—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 495 was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Clark,

Claypool, Cline, Cobb, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Scott, Shirley, Smith, Spellman, Stanley, Strange, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—62.

Those who voted in the negative were, Messrs. Barker, Peed, Reno, Rudder, Tingley and Tulley—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

On motion of Mr. Wood, the vote by which House bill No. 414 failed to pass was reconsidered.

Mr. McKinney, from the Committee on Statistics and Emigration, submitted the following report:

MR. SPEAKER:

The Committee on Statistics and Emigration, to whom was referred Senate bill No. 64, entitled "A bill for the collection and publication of statistics," with an emergency clause, have had the same under consideration, and beg leave to report the same back with the recommendation that it pass.

Which report was concurred in and the bill read a second time.

Mr. Baker presented a claim of D. H. Dogden and James Howard for $374.24, for repairs made on the gun boat Chilicothe, during the rebellion by order of Gov. Morton.

Which was referred to the Committee on Claims.

Mr. Gifford introduced House bill No. 505—an act declaratory of the true interest and meaning of an act, approved January 30, 1873, and entitled, "An act supplemental to an act, to authorize aid to the construction of railroads by counties and townships taking stock in and making donations to railroad companies," approved May 12, 1869.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Broaddus introduced House bill No. 506—a bill to amend an act entitled, " An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees of certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistant therewith, providing penalties therein prescribed," approved March 6, 1865.

Which bill was read a first time and referred to the Committee on Education.

Mr. Lenfesty presented a petition from the Grant County Bar, asking some change in onr present judicial system, etc.

Which was referred to the Select Committee on Redistricting the State for Judicial Purposes.

Mr. Kirkpatrick introduced House bill No. 507—an act in relation to fees of jurors before justices of the peace.

Which bill was read a first time and referred to the Committee on County and Township Business.

Mr. Branham introduced House bill No. 508—an act to make further provisions for the care and treatment of the insane of the State.

Which bill was read a first time and referred to the Committee on Benevolent Institutions.

Mr. Branham introduced House bill No. 509—a bill authorizing the construction of private narrow guage railways.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Troutman introduced House bill No. 510—an act declaring what counties shall constitute the twenty-second judicial circuit, and fixing the time of holding the courts therein.

Which bill was read a first time, and referred to the Committee on the Organization of Courts.

Mr. Edwards, of Lawrence, introduced House bill No. 511—a bill for the relief of honorably discharged soldiers of the rebellion of 1861, soldiers' widows and orphans, and soldiers of the war of 1812, who have become paupers.

Which bill was read a first time, and referred to the Committee on County and Township Business.

Mr. Johnson introduced House bill No. 512—a bill to provide for interest on judgments.

Which bill was read a first time.

Mr. Peed introduced House bill No. 513—an act to amend section 27 of an act entitled "An act regulating descents and apportionment of estates," approved May 14, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Eward introduced House bill No. 514—an act to amend section 11 of an act entitled "An act regulating the granting of divorces, nullification of marriages, and decrees and orders of court incident thereto," approved May 13, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

On motion of Mr. Henderson, House bill No. 195 was taken from the table, and read a second time and ordered to be engrossed.

Mr. Cowgill introduced House bill No. 515—an act to legalize elections in certain cases held by counties and townships, to authorize aid to the construction of railroads.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Baxter introduced House bill No. 516—a bill providing for the reorganization and government of our State Prisons, repealing all laws in conflict therewith and declaring an emergency.

Which bill was read a first time and referred to the Committee on Prisons.

Mr. Smith introduced House bill No. 517—an act to authorize Township Trustees doing township business to declare water courses public highways.

Which bill was read a first time and referred to the Committee on the Judiciary.

Engrossed House bill No. 200 was taken up, and the following engrossed Senate amendments thereto.

Engrossed Senate amendments to House bill No. 200:

Add to section 2 the following, to-wit: "*And provided further*, That the provision of this act shall not apply to any county which shall have fully paid such bounties to all soldiers filling the quota of such county according to the terms of the order of the Board of Commissioners allowing such bounties before the passage of this act."

Which amendments were read and concurred in.

Mr. Woodard introduced House bill No. 518—an act to provide a Bureau of Statistics of Labor, and the appointment of a commissioner of labor statistics, defining his powers, duties and compensation.

Which bill was read a first time and referred to the Committee on Statistics and Emigration.

Mr. Woodard introduced House bill No. 519—An act to provide for a progressive tax on the taxables of Indiana, and for submitting

the same to the legal voters of the State at the general election in October 1874 for ratification or rejection, and repealing all acts and parts of acts in conflict with the provisions of this act.

Which bill was read a first time and referred to the Committee on Ways and Means.

Mr. Woodard presented a petition from the Labor Reform Union of Parke county, submitting a bill to provide for a Bureau of Statistics and Emigration.

Mr. Woodard presented a petition from the Labor Reform Union of Parke county, submitting a bill to provide for a progressive tax.

Which were referred to the Committee on Ways and Means.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary present the accompanying bill, and recommend its passage:

House bill No. 520—being a bill introduced by the Committee on the Judiciary—a bill defining a misdemeanor and prescribing punishment therefor.

Which bill was read a first time.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 427, entitled—an act to amend an act entitled an act defining misdemeanors and prescribing punishment therefor—have considered said bill, and recommend that the same be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 106, entitled—an act to prescribe the qualifications of jurors in the several courts of this State—have examined the same and directed me to report the same back to the House and recommend its passage.

Which report was concurred in, and the bill read a second time.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 383, have instructed me to report the same back to the House with the recommendation that said bill be referred to the Committee on Drains and Dykes.

Which report was concurred in, and the bill referred to the Committee on Drains and Dykes.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 499, have examined the same and recommend the following amendment: Strike out all of section 3, from the first to and including the word "due" in the sixth line thereof, and after said amendment is adopted, your committee recommend its passage.

Which report was concurred in, and the amendment adopted, the bill as amended, read a second time and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following majority report:

Mr. Speaker:

The majority of the Judiciary Committee, to whom was referred House bill No. 497, entitled "An act giving justices of the peace and mayors of cities original and exclusive jurisdiction in all mis-

demeanors, where the fine does not exceed fifty dollars and imprisonment is not a part of the penalty," have had the same under consideration and recommend, that it be indefinitely postponed.

Mr. Cowgill from the same Committee, submitted the following minority report:

Mr. Speaker:

A minority of the Judiciary Committee, to whom was referred House bill No. 497, believing that original and exclusive jurisdiction of those misdemeanors comprehended by said bill, might with safety to the State, and the accused, be given to mayors and justices' courts, and with much greater economy of time and money than under existing laws, for that by the passage of this bill, the higher and more expensive courts would be thereby released of those numerable petty prosecutions now taken into them, and they would be referred to the lower courts, competent to try them and to which they more properly belong. Respectfully submit this minority report, recommending the passage of the bill.

The question being, shall the minority report be substituted for the majority report?

Messrs. Eward and Givan demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cobb, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Givan, Goble, Goudie, Gregory, Hardesty, Henderson, Isenhauer, Jones, Lenfesty, Martin, McConnell, McKinney, North, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Schmuck, Scott, Spellman, Stanley, Strange, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wolflin and Woodard—49.

Those who voted in the negative were, Messrs. Barker, Baxter, Billingsley, Brett, Buskirk, Glasgow, Hatch, Hedrick, Johnson, Kimball, King, Lenfesty, Miller, Odle, Ogden, Rumsey, Shirley, Teeter, Thayer, Thompson (of Spencer), Walker, Wesner, Wood and Mr. Speaker—20.

So the minority report was substituted for the majority report.

The report as amended was then concurred in and the bill read a second time.

Mr. Walker offered the following amendment :

Amend section 1 by striking out " fifty " and inserting " seventy-five."

On motion of Mr. Baker, the amendment was laid on the table.

Mr. Miller offered the following amendment:

I move to amend by adding to the first section the following words : " *Provided*, That the provisions of this act shall not apply to cases now pending."

Which amendment was adopted and the bill ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 16, entitled " An act authorizing suit to be brought in the partnership name against partners," have considered the same, and recommend that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Cowgill, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 463, entitled " An act defining certain rights and duties of feeders and pasturers of live stock," have had the same under consideration, and recommend that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report :

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 99, have had the same under consideration, and herewith report the same back to the House, with the following amendments :

Strike out the following words in section 1, line 10: "be allowed," and insert in lieu thereof the word "recover." Amend further by inserting the following words, to-wit, "and the judgment thereon shall bear the same rate of interest," after the words "principal debt or," in line 17, and when so amended they recommend its passage.

Which report was concurred in, the amendments adopted, the bill read a second time and ordered to a third reading.

Mr. Miller, from the Committee on the Judiciary, submitted the following report :

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 500—an act to amend section 531 of the practice act, have had the same under consideration, and direct me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred House bill No. 491—an act providing for the election and qualification of justices of the peace, and defining their jurisdiction, powers and duties in civil cases, approved June 9, 1852, have had the same under consideration, and direct me to report it back with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Smith, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your committee, to whom was referred House bill No. 468—an act to repeal all laws, and parts of laws, whereby stockholders in corporations are held liable for the debts of the corporation, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation that it be indefinitely postponed.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Crumpacker, from the Committee on Banks, submitted the following report:

MR. SPEAKER:

The Committee on Banks to whom was referred House bill No 433—an act relating to interest, have had the same under consideration, and have directed me to report the same back with the recommendation that the bill be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Woodard, Chairman of the Committee on Fees and Salaries submitted the following report:

MR. SPEAKER:

The Committee on Fees and Salaries to whom was referred House bill No. 470—entitled an act to amend an act, approved December 19, 1872, entitled "An act fixing the per diem and mileage of the members of the General Assembly, and providing that they shall provide their own stationary, reducing the per diem from $8.00 to $5.00 per day, have considered the same and recommend that it be indefinitely postponed.

The question being, shall the report be concurred in and the bill indefinitely postponed?

Messrs. Crumpacker and Reno demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett,

Broaddus, Butts, Cline, Cobb, Cole, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Goble, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, Kirkpatrick, Martin, McKinney, Mellett, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Schmuck, Smith, Strange, Teeter, Thayer, Tingley, Thompson (of Spencer), Walker, Wesner, Whitworth, Willson (of Ripley), Woodard and Mr. Speaker—58.

Those who voted in the negative were, Messrs. Butterworth, Claypool, Crumpacker, Eward, Glazebrook, King, McConnell, Miller, Reno, Scott, Stanley, Thompson (of Elkhart), Troutman, Tulley, Wilson (of Blackford), and Wood—17.

So the report was concurred in, and the bill indefinitely postponed.

SPECIAL ORDER.

The special order being the consideration of engrossed House bill No. 306, the same was taken up.

Mr. Henderson offered the following amendment:

MR. SPEAKER:

I move to strike out the words "or in point" in first line of section three of House bill No. 306.

Which amendment was adopted by unanimous consent.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baxter, Bowser, Butterworth, Cline, Cobb, Durham, Eaton, Edwards (of Lawrence), Gronendyke, Henderson, Hollingsworth, Isenhauer, Kimball, King, Miller, Ogden, Prentiss, Reeves, Richardson, Riggs, Smith, Teeter, Tingley, Thompson (of Spencer), Troutman, Walker, Willson (of Ripley), Wood, Wynn and Mr. Speaker—30.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butts, Clark, Claypool, Crumpacker, Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Hedrick, Johnson, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Offutt, Peed, Reno, Rudder, Rumsey, Satterwhite, Schmuck,

Spellman, Stanley, Strange, Thayer, Thompson (of Elkhart), Tulley, Wesner, Whitworth, Wilson (of Blackford), Wolflin and Woodard—50.

So the bill failed to pass.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have examined act No. 188 of the House, entitled "An act to amend section 433 of an act entitled 'An act to revise, simplify and abridge the rules of practice, pleadings and forms in civil cases in the courts of this State,'" etc., and find that the same is correctly enrolled.

Also, House bill No. 137, entitled "An act to amend section 103 of an act entitled 'An act to revise, simplify and abridge,'" etc., approved 17, 1852, and find the same correctly enrolled.

Also, your Joint Committee on Enrolled Bills report that they have compared enrolled House bill No. 118, entitled "An act to make parties competent witnesses as to certain matter in actions by executors or administrators, upon contracts assigned to decedents," with the enrolled copy thereof, and find that the same is correctly enrolled.

The Speaker announced that he had signed enrolled House act No. 188; also, enrolled House act No. 137; also, enrolled House act No. 113.

On motion of Mr. Blocher, the vote by which House bill No. 389 was lost, was reconsidered.

Mr. Wolflin moved to re-commit bill, with the following instructions:

I move to re-commit House bill No. 389 to the Committee on Cities and Towns, with instructions to strike out section 2 of said bill.

Which motion prevailed.

On motion of Mr. Glasgow, the vote by which House bill No. 414 failed to pass was reconsidered.

Mr. Givan introduced House bill No. 521—an act to provide for the erection of new buildings for the use of the State University at Bloomington, Indiana, and making an appropriation therefor.

Which bill was read a first time and referred to the Committee on Education.

Mr. Lenfesty presented a petition from sundry citizens of Grant county, asking an appropriation to enable Joseph Morgan to prepare the case of the State of Indiana vs. James L. McCollough, in the Benton county Circuit Court, charged with the murder of Wm. C. Morgan, for trial.

Which was referred to the Committee on Ways and Means.

Mr. Hedrick, chairman of the Committee on Rights and Privileges, submitted the following report:

MR. SPEAKER:

The Committee on Rights and Privileges, to whom was referred House bill No. 386, entitled "An act to punish interference with contracts for labor," have had the same under consideration, and direct me to report the same back to the House, with the recommendation that the bill lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Branham, from the Committee on Railroads, submitted the following majority report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 483, having had the same under consideration, the majority of the committee direct me to report the same back to the House and recommend its passage.

Mr. Isenhauer from the same committee, submitted the following minority report:

MR. SPEAKER:

The undersigned members of the Committee on Railroads, to whom was referred House bill No. 483, entitled, "An act to amend an act entitled, 'An act to enable railroads to alter their lines in certain cases,'" approved December 20, 1865, would beg leave to substitute the following minority report, to-wit: That they recommend said bill be indefinitely postponed.

J. R. ISENHAUER,
JOHN GRONENDYKE.

The question being, shall the minority report be substituted for the majority report?

Messrs. Givan and Smith demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Blocher, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Hardesty, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Offutt, Prentiss, Reno, Richardson, Riggs, Rudder, Rumsey, Scott, Smith, Spellman, Stanley, Strange, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Baxter, Branham, Cole, Durham, Glasgow, Goudie, King, Miller, Reeves, Teeter and Thompson (of Spencer)—11.

So the minority report was substituted for the majority report, and the report as so amended was concurred in and the bill indefinitely postponed.

On motion of Mr. Offutt, the House adjourned until to-morrow at 9:30 o'clock a. m.

This journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS, Speaker.

THURSDAY MORNING.

FEBRUARY 20, 1873, 9:30 O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. L. G. Hay, of the 9th Presbyterian Church of Indianapolis.

On motion of Mr. Lenfesty, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Thompson, of Elkhart, the vote by which House bill No. 306 failed to pass, was reconsidered.

On motion of Mr. Billingsley, House bill No. 122 was taken from the table and placed on the files.

Mr. Smith, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 224, being a bill in relation to the Female Seminary of St. Marys of the Woods, have considered the same and instructed me to report the same back to the House with the recommendation that so much of said bill as recites the section intended to be amended be stricken out, and that the following proviso be placed to said amended section, to-wit: "*Provided*, That it shall not be lawful for said corporation to hold or be the owners of real estate, exclusive of improvements, exceeding in value three hundred thousand dollars; and if by donation, devise, or otherwise, it should become the legal or equitable owner of real estate of greater value, the same shall be sold by said corporation within two years after such title shall have accrued or become vested therein, but this shall not be construed to require the sale of any real estate now owned by said corporation which may be necessary for the enjoyment of the powers and privileges of the corporation,"—and when said bill is so amended the committee recommend its passage.

Which report was concurred in, and the amendments adopted, the bill, as amended, read the second time, and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 460, entitled—an act to amend section 132 of the code of civil procedure—have examined the same and direct me to report the same back to the House with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 98, entitled—a bill to prevent the carrying of concealed or dangerous weapons and providing punishment therefor—have considered said bill, and herewith return the same to the House with the recommendation that the same be indefinitely postponed, no legislation being needed on the subject.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Johnson, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 459, entitled—a bill giving jurisdiction to the several criminal circuit courts, etc., have considered said bill, and recommend that it pass.

Which report was concurred in, and the bill read a second time and passed over informally.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee, to whom was referred engrossed Senate bill No. 170, have had the same under consideration, and a majority of said committee instruct me to report the same back with a recommendation that it pass.

Which report was concurred in and the bill referred to the Committee on Ways and Means.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 521, having considered the same, instruct me to report the same back with the recommendation that it pass.

Which report was concurred in, the bill read a second time and on motion of Mr. Brett, referred to the Committee on Ways and Means.

Mr. Peed was called to the chair.

Mr. Mellett, chairman of the Committee on Education, submit ted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred engrossed Senate bill No. 153, having considered the same, instructed me to report the same back and recommend its passage.

Which report was concurred in, the bill read a second time and passed to the third reading.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 283, entitled, " An act to amend section 27 of an act entitled, ' An act to provide for a general system of common schools, the

officers thereof and their respective duties and powers, and matters properly connected therewith, etc.,' " having had the same under consideration, direct me to report the same back, with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, to whom was referred House bill No. 367 entitled, " An act in relation to unclaimed county orders," having had the same under consideration, direct me to report it back with the recommendation, that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Givan, from the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education having considered House bill No. 436, report the same back and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Givan, from the Committee on Manufactures and Commerce, submitted the following report:

Mr. Speaker:

The Committee on Manufactures and Commerce, to whom was referred Senate bill No. 4, have had the same under consideration, and report the same back with the recommendation, that it pass.

Which report was concurred in and the bill read a second time.

Mr. Givan, from the Committee on Manufactures and Commerce, submitted the following report:

Mr. Speaker:

The Committee on Manufactures and Commerce, to whom was referred House bill No. 490, have had the same under consideration, and report the same back with the recommendation, that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Givan, from the Committee on Manufactures and Commerce, submitted the following report:

Mr. Speaker:

The Committee on Manufactures and Commerce, to whom was referred Senate bill No. 96, have had the same under consideration, and report the same back with the recommendation, that it pass.

Which report was concurred in and the bill read a second time.

Mr. Thayer, from the Committee on Manufactures and Commerce, submitted the following report:

Mr. Speaker:

The Committee on Manufactures and Commerce, to whom was referred House bill No. 203, entitled, "An act supplemental to an act entitled, 'An act for the incorporation of manufacturing and mining companies, and companies for mechanical, and chemical and building purposes,'" approved May 21, 1852, have had the same under consideration, and have directed me to report the same back to the House, with the recommendation, that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Thompson, of Elkhart, Chairman of the Committee on County and Township Business, submitted the following report:

Mr Speaker:

Your Committee on County and Township Business, to whom was referred House bill No. 493—an act to amend line two sec-

tion eight of an act entitled "An act to provide for the more uniform mode of doing county and township business, prescribing the duties of certain officers in connection therewith and to repeal all laws conflicting with this act," approved February 18, 1859, recommend that it pass.

Which report was concurred in, and the bill read a second time.

Mr. Mellett offered the following amendment:

I move to amend section one by striking out in lines three and four the words and figures "line two."

Which amendment was adopted by unanimous consent.

Mr. Thompson, of Elkhart, moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, North, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder Rumsey, Schmuck, Scott, Smith, Spellman, Stanley, Strange, Teeter, Thayer Tingley, Thompson, (of Spencer), Thompson, (of Elkhart,) Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn, and Mr. Speaker—79.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Ba-

ker, Barker, Baxter, Billingsley, Blocher, Branham, Butts, Broaddus, Butterworth, Brett, Clark, Claypool, Cobb, Coffman, Cole, Crumpacker, Durham, Edwards, (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Scott, Shirley, Smith, Spellman, Strange, Teeter, Tingley, Thompson (of Elkhart,) Thompson (of Spencer,) Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Miller offered the following amendment:

I move to amend the title by striking out in lines one and two the words and figures "line two."

Which amendment was unanimously adopted, and the title as amended was approved.

Mr. Branham offered the following resolution:

Resolved, By this House that the Committee on Public Expenditures be, and the same are hereby directed to examine all the vouchers in the Auditor's office, that have not been previously examined by a committee of this House, and as far as possible ascertain if the State has received the property paid for, and if any further legislation is necessary to protect the State, and report to this House.

Which resolution was adopted.

Mr. Tingley, from the Committee on Benevolent Institutions, submitted the following report:

Mr. Speaker:

The Committe on Benevolent Institutions, to whom was referred Senate bill No. 48, having had the same under consideration, herewith report the bill back to the House and recommend its passage.

Which report was concurred in and the bill read a second time.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred House bill No. 469, have had the same under consideration, and have directed me to report the same back with a recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Martin, from the Committee on Roads, submitted the following report:

Mr. Speaker:

The Committee on Roads, to whom was referred House bill No. 366, entitled " An act supplemental to an act entitled ' An act authorizing the assessment of lands for plank, Macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject,' " approved March 11, 1867, have had the same under consideration and recommend its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Prentiss, from the Committee on Roads, submitted the following report:

Mr. Speaker:

The Committee on Roads, to whom was referred House bill No. 461, entitled "An act to amend the third section of an act authorizing the assessment of lands for plank, Macadamized and gravel road purposes, prescribing the manner of assessing and collecting the

same, and repealing the law on that subject," approved March 11, 1867, approved May 14, 1869, and declaring an emergency for the immediate taking effect of the same, have had the same under consideration, and recommend that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Prentiss, from the Committee on Roads, submitted the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 396, entitled "An act amending section 49 of an act entitled 'An act to provide for the opening, vacating and changing of highways,'" approved June 17, 1852, have had the same under consideration, and offer the following amendment, to-wit:

Amend line 20, of section 1, by adding after the word "petition," the words, "shall open and keep in repair such road at his own expense," and when so amended the committee recommend its passage.

Which report was concurred in and the amendment adopted, the bill as amended read a second time and ordered to be engrossed.

Mr, Thompson, of Spencer, from the Committee on Roads, submitted the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 450, entitled "An act supplemental to an act entitled 'An act authorizing the assessment of lands for plank, Macadamized and gravel road purposes, prescribing the manner of assessing and collecting the same, and repealing the law on that subject,'" have had the same under consideration, and recommend that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Isenhauer, from the Committee on Roads, submitted the following report:

Mr. Speaker:

The Committee on Roads, to whom was referred House bill No. 487—a bill providing that persons holding pension certificates should be exempt from performing labor on the highway—have had the same under consideration, and beg leave to recommend that it lay on the table.

Which report was concurred in and the bill laid on the table.

Mr. Baxter, chairman of the Committee on Reformatory Institutions, submitted the following report:

Mr. Speaker:

The Committee, to whom was referred Senate bill No. 94, entitled—a bill concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances, etc., have examined the same and report it back to the House, with a recommendation that it pass.

Which report was concurred in and the bill read a second time.

Mr. Baxter moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Butts, Clark, Claypool, Cobb, Cole, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Isenhauer, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Riggs, Rudder, Rumsey, Scott, Shirley, Smith, Spellman, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Barker, Bowser, Butterworth, Coffman, Eaton, Ellsworth, Goble, Lenfesty, Reno, Schmuck, Stanley, Tulley and Willard—13.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Reeves, Riggs, Rumsey, Scott, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—64.

Those who voted in the negative were, Messrs. Anderson, Barker, Coffman, Ellsworth, Reno, Richardson, Rudder, Schmuck and Tulley—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Baxter, chairman of the Committee on Reformatory Institutions, submitted the following report:

Mr. Speaker:

The Committee on Reformatory Institutions report the accompanying appropriation on behalf of the House of Refuge for Boys, at Plainfield, and recommend its reference to the Committee on Ways and Means, to be included in the specific appropriation bill.

Which report was concurred in.

Mr. Riggs, chairman of the Joint Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of Mary J. Jameson, for interest in the Blind Asylum—have had the same under consideration, and direct me to report the same back to the House, with the recommendation, that the same be not allowed.

Which report was concurred in.

Mr. Riggs, chairman of the Joint Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of I. Taylor for services as architect on the House of Refuge building—have had the same under consideration, and direct me to report the same back to the House, with the recommendation, that the same be not allowed.

Which report was concurred in.

Mr. Riggs, chairman of the Joint Committee on Claims, submitted the following report:

Mr. Speaker:

The Committee on Claims, to whom was referred the claims of Stephen S. Whiteman and George G. Whiteman for $400—have had the same under consideration, and direct me to report the same back, with the recommendation, that the same be not allowed.

Which report was concurred in.

Mr. Cobb, from the Joint Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of Daniel Keeley for $3,236, for services rendered during the war with his martial band—have had the same under consideration, and direct me to report back the same to the House, with the recommendation, that the said Daniel Keeley be allowed $1320 in full of

all demands, referred to the Committee of Ways and Means, to be incorporated in the specific appropriation bill.

The question being, shall the report be concurred in ?

Messrs. Peed and Mellett demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Broaddus, Butterworth, Clark, Cobb, Cole, Cowgill, Furnas, Gifford, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Kimball, Kirkpatrick, Lenfesty, McConnell, McKinney, Ogden, Prentiss, Reeves, Riggs, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Woodard and Mr. Speaker—37.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Branham, Brett, Cauthorn, Cline, Coffman, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Glasgow, Glazebrook, Goble, Goudie, Henderson, Isenhauer, King, Martin, McKinney, Miller, North, Odle, Offutt, Peed, Reno, Richardson, Rudder, Schmuck, Spellman, Stanley ,Strange, Teeter, Tulley, Walker, Wolflin and Wood—38.

So the report was not concurred in.

Mr. Baxter, chairman of the Committee on Reformatory Institutions, submitted the following report :

Mr. Speaker:

The Committee on Reformatory Institutions, to whom was referred House bill No. 498, entitled "A bill to establish a sanitarium and providing for the government thereof," have examined the same, and report it back with the following amendment, viz.: That section 15 be stricken out, and the following inserted in lieu thereof:

Sec. 15. That a sum not exceeding ten thousand dollars is hereby appropriated, for the purpose of renting, furnishing and other expenses, necessary for the establishing and maintaining a sanitarium, and as so amended, we recommend its passage.

Mr. Schmuck moved that the bill and report be indefinitely postponed.

Messrs. Baxter and Miller demanded the ayes and noes.

The question being, shall the bill and report be indefinitely postponed ?

Those who voted in the affirmative were, Messrs. Barker, Blocher, Brett, Butterworth, Cauthorn, Coffman, Crumpacker, Goble, Hoyer, Isenhauer, McKinney, Peed, Pfrimmer, Reno, Schmuck, Shirley and Whitworth—17.

Those who voted in the negative were, Messrs. Baxter, Broaddus, Butts, Clark, Cline, Cobb, Cole, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Scott, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood and Mr. Speaker —59.

So the bill and report was not indefinitely postponed.

The report was then concurred in, the amendment adopted, the bill as amended read a second time and ordered to be engrossed.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment with the Speaker in the Chair.

Mr. Ogden presented the claim of Henry Crawford for legal services by employment of T. B. McCarty, Auditor of State for $2,500.

Which was referred to the Committee on Claims.

Mr. ——— moved a call of the House.

The members answering to their names were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butter-

worth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Edwards, (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson, (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willson, (of Blackford,) Willson, (of Ripley,) Wolflin, Wood, Woodard, Wynn, and Mr. Speaker—81.

On motion of Mr. Furnas, further proceedings under the call, was dispensed with.

On motion of Mr. Mellett, House bill No. 359 was taken from the table and placed on the files.

Mr. Cauthorn introduced House bill No. 522—a bill for an act to amend section seventeen of "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly appertain thereto," approved March 14, 1867.

Which was read a first time and referred to the Committee on Cities and Towns.

Mr. Cauthorn introduced House bill No. 523—a bill for an act to amend section eight of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1852.

Which bill was read a first time and referred to the Committee on the Judiciary.

On motion of Mr. Cowgill, the vote by which House bill No. 16, was indefinitely postponed, was reconsidered.

SPECIAL ORDER.

The hour having arrived for the consideration of Senate bills Nos. 6 and 115, said bills were taken up and read.

Mr. Offutt offered the following amendment to Senate bill No. 6:

Amend section 9 of the amendments to Senate bill No. 6 as follows, to-wit:

First. After the word "company," in the 10th line, insert the following: "or any of its agents."

Second. Strike out the 17th, 18th, 19th, 20th, 21st and 22d lines, to and including the word "furnished," in said 22d line.

On motion, the first paragraph of Mr. Offutt's amendment was adopted.

Mr. Cobb offered the following as a substitute for the second paragraph of the amendment offered by Mr. Offutt:

In section 9 of the amendments by the House, strike out "five, and insert "three;" and in the same section, strike out the words, "and the sum of ten dollars per day."

Which substitute was, on motion of Mr. Walker, laid upon the table, and on motion, the second proposition of Mr. Offutt's amendment was laid on the table.

Mr. Shirley offered the following amendment:

Amend section 1 as follows: At line 9, after the word "railroad," add the following: "within the State;" and in line 12, after the word "railroad," add the following: "within the State;" in line 14, after the word "railroad," add the following: "within the State."

Which amendment was not adopted.

Mr. Miller offered the following amendment:

Mr. Speaker:

I move to amend by inserting after the word "president," in line 2, of section 4, the following words: "assignee, receiver or other person controlling and operating the road."

Which amendment was adopted.

Mr. Troutman offered the following amendment:

Amend section 1, line 8, by inserting after the word "rates," the words, "per mile;" line 11, after the word "rates," insert the words, "per mile;" line 13, after the word "rates," insert the words, "per mile."

Which amendment was not adopted.

Mr. Miller offered the following amendment:

Mr. Speaker:

I move to amend Senate bill No. 6, by inserting after section 8, the following sections, to-wit:

Sec. 11. If any railroad company or other common carrers shall fail or refuse to carry or transport any freight, articles or commodities, as aforesaid, which may be produced and offered for transportation as aforesaid, without payment or promise of payment of unreasonable or exorbitant rates, in excess of the rates provided by this act, offering such freight, articles or commodities, may pay or stipulate to pay under protest, such unreasonable or exorbitant rates demanded, and the person so paying may recover back in a civil action against such railroad company or common carriers, the excess or difference between the unreasonable or exorbitant amount paid for the services and the amount which would have been a just and reasonable compensation for such services, as measured by the provisions of this act.

Sec. 12. If any freight, articles or commodities shall be shipped or consigned by one person to another person, to be carried or transported by any railroad company or common carrier, or their agent, or such carrier or his agent, shall refuse to insert in the freight bill or bills of lading a reasonable sum, in accordance with the provisions of this act, and demand that an unreasonable or exorbitant sum shall be inserted as the price of carriage, the consignor may, under protest, agree to the insertion of such unreasonable or exorbitant amount as the price of the carriage or transportation of such freight, articles, or commodities, and in such case the consignee on the arrival of the freight at the place of destination, shall be entitled to demand and receive the freight, or articles, or commodities so consigned to him upon the payment of a reasonable rate or sum for the transportation thereof, or he may pay under protest the unreasonable or exorbitant amount specified in the freight bill or bills

of lading, and recover back the excess or difference between the exorbitant and the reasonable rate in a civil action.

Sec. 13. Any protest contemplated by this act may be made verbally, and may be proved by parol evidence, notwithstanding the price of transportation claimed to be excessive, may be specified in the freight bill, bill of lading, or other writing.

Sec. 14. Any person having, or claiming to have, any demand or claim against any railroad company, or other common carriers, or other persons or corporations, for any sum of money paid for transportation under protest, as aforesaid, may make out a statement or account thereof, in writing, showing the amount and nature of the claim and the name of the railroad company or other common carrier, or other persons or corporations, against which or whom it is made, which claim may be assigned by the claimant, and if the assignment is attested by a subscribing witness, the assignee may sue thereon in his own name, without making the assignor a party to the action.

Which was not adopted.

Mr. Branham moved to amend by striking from Senate bill No. 6, all after the enacting clause and substituting in lieu thereof Senate bill No. 115, which was pending before the House.

Which motion the Speaker ruled out of order.

Mr. Branham moved to lay Senate bill No. 6 on the table.

The question being, shall the bill be laid upon the table?

Whereupon Messrs. Offutt and Givan demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Butterworth, Clark, Claypool, Cline, Cowgill, Eaton, Edwards (of Lawrence), Furnas, Glasgow, Glazebrook, Gronendyke, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Lenfesty, Lent, Martin, North, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Rumsey, Schmuck, Scott, Smith, Stanley, Strange, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Wolflin, Wood and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Blocher, Buskirk, Butts, Cobb, Coffman, Crumpacker, Durham, Ellsworth, Eward, Givan, Goble, Hatch, Heller, Johnson, McKinney, Miller, Offutt, Ogden, Peed, Reno, Richardson, Shirley, Spellman, Teeter, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—31.

So the bill was laid on the table.

Mr. Woodard moved to reconsider the vote by which Senate bill No. 6 was laid on the table.

Mr. Eward was granted leave of absence until Tuesday next.

Pending the motion made by Mr. Woodard, to reconsider,

The House, on motion of Mr. Thayer, adjourned until to-morrow morning at 9:30 o'clock.

This Journal was read in the hearing of the committee and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

February 21, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Calvin W. Pritchard, member of the Society of Friends.

The journal of yesterday was read in part, when, on motion of Mr. Tulley, the further reading of the same was dispensed with.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 327, entitled, "A bill to regulate the sale of intoxicating liquors, to provide against evils resulting from any sale thereof, to furnish remedies for damages suffered by any person in consequence of such sale, prescribing penalties, to repeal all laws contravening the provisions of this act," and declaring an emergency; and the same is herewith returned to the House.

Mr. North, from the Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed bills Nos. 366, 283, 460, 499, 195 and 497 with the original copies, and find them in all things correctly engrossed.

The consideration of the motion of Mr. Woodard to reconsider the vote by which Senate bill No. 6 was laid on the table—pending the consideration of which the House adjourned, was resumed.

The motion to reconsider the vote by which Senate bill No. 6 was laid on the table, prevailed.

On motion of Mr. Mellett, said bill was taken from the table, and the same together with Senate bill No. 115 and House bill No. 158 were recommitted to the Committee on the Judiciary, with instruction, to report the same back and make them a special order for Wednesday next at 10 o'clock a. m.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled act, to-wit:

Enrolled act of the House No. 188, entitled "An act to amend section No. 433 of an act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved June 18, 1852.

Enrolled act of the House No. 137—an act to amend section 103 of an act entitled, "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852.

Enrolled act of the House No. 118—an act making the parties competent witness, as to certain matters in actions by executors or administrators upon contracts assigned to the decedents, and the same have been delivered to the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have, this 21st day of February, 1873, presented Enrolled House bill No. 118, entitled "An act making the parties competent witnesses as to certain matters in actions by executors or administrators, upon contracts assigned to the decedents;" also, enrolled House bill No. 137, entitled "An act to amend section 103 of an act entitled 'An act to revise, simplify and abridge the rules of practice and pleadings and forms in criminal actions in the courts of this State,'" approved June 17, 1852; also, enrolled House bill No. 188, entitled "An act to amend section 433 of an act to revise, simplify and abridge the rules, pleadings, practice and forms in civil actions," etc., etc., to the Governor for his approval and signature.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report, and introduced House Joint Resolution No. 20:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred the resolution asking an appropriation to aid in the prosecution of certain persons therein named, for murder, have had the same under consideration, and instruct me to report the same back with the following substitute, and when so amended by said substitute, respectfully recommend its passage:

House Joint Resolution No. 20, introduced by Mr. Kimball, chairman of the Committee on Ways and Means, by direction of said Committee—a joint resolution authorizing the Governor to pay out of the contingent fund certain moneys, for the purpose therein named.

Which House Joint Resolution was read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woodard, Wynn and Mr. Speaker—84.

Messrs. Broaddus, Peed and Pfrimmer voting in the negative.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following bill thereof, to-wit:

Enrolled Senate bill No. 301—a bill providing for the incorporation of companies formed for the purpose of constructing bridges for railway or common roadway purposes, or both, over rivers

and streams forming the boundaries of the State of Indiana or a part thereof.

And the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Smith moved that House bill No. 350 be made a special order for 2 o'clock this p. m.

Mr. Offutt moved to lay the motion on the table.

The question being, shall the motion of Mr. Smith to make House bill No. 350 a special order for 2 o'clock this p. m., be laid on the table?

Messrs. Miller and Offutt demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Crumpacker, Eaton, Gronendyke, Lenfesty, Offutt, Ogden, Richardson, Rumsey, Thayer, Walker, Willson (of Ripley), Wood and Wynn—13.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Woodard and Mr. Speaker—79.

So the motion did not prevail.

The question being, shall House bill No. 350 be made a special order for 2 o'clock p. m.

Pending which, the House, on motion of Mr. Billingsley, adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled House bill No. 200, entitled "An act to authorize and empower boards of county commissioners to equalize local, county bounty etc., also, enrolled Senate Joint Resolution No. 8 with the engrossed copy, and find the same correctly enrolled.

The Speaker announced that he had signed enrolled House act No. 200.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to respectfully inform the House, that his Excellency has approved and signed enrolled act No. 361, entitled, "An act to repeal all laws now in force, establishing the times of holding circuit courts in the second judicial circuit, to fix the times of holding said courts, requiring all persons to take notice thereof, providing for the return of process thereto."

Also, Joint Resolution No. 18 entitled, "A joint resolution declaratory of the meaning of the first section of an act approved February 3, 1873, entitled, "An act supplemental to an act, to establish a Female Prison and Reformatory Institution for Girls and Women, and to provide for the organization and government thereof, and making appropriations," approved May 13, 1869, and that he has caused the same to be deposited in the office of the Secretary of State.

And also, that Joint Resolution No. 15 entitled, "A joint resolution relative to the agreement between the States of Indiana and

Ohio, on the subject of the Wabash and Erie Canal," has been deposited in the office of the Secretary of State, and a copy thereof transmitted to his Excellency E. F. Noyes, Governor of Ohio, with the request, that he would cause the same to be laid before the General Assembly of that State.

SAMUEL R. DOWNEY,
Private Secretary.

Mr. Kimball presented the claim of Z. W. Coffin as stationery clerk in the office of Secretary of State, from January 27, to March 10, including 43 days, at $5.00—$215.

Which was referred to the Committee on Claims.

Mr. Branham presented the claim of J. C. McCormick and D. W. Rowland, for services in making a calendar of bills for the House.

Which was referred to the Committee on Claims.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have examined enrolled House bill No. 37, entitled, "An act to regulate the sale of intoxicating liquors, to provide against evils resulting from any sale thereof, to furnish remedies for damages suffered by any person in consequence of such sale, prescribing penalties, to repeal all laws contravening the provisions of this act and declaring an emergency," and find it correctly enrolled.

The Speaker announced that he had signed enrolled House act No. 327.

Mr. Woodard moved that the vote by which House bill No. 483 was indefinitely postponed, was reconsidered.

On motion of Mr. King, the vote by which the claim of I. Taylor was not allowed, be reconsidered.

House bill No. 350 was taken up.

Mr. Walker, moved that the House adjourn until 2 o'clock p. m. on Monday next.

Whereupon ten members demanded the ayes noes.

Those who voted in the affirmative were, Messrs. Billingsley, Branham, Broaddus, Butts, Clark, Cole, Crumpacker, Durham, Eaton, Ellsworth, Glazebrook, Goudie, Hardesty, Heller, Jones, King, Kirkpatrick, Lenfesty, Martin, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Richardson, Rumsey, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Wynn—41.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker,. Blocher, Bowser, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Givan, Hatch, Gregory, Hedrick, Henderson, Hollingsworth, Hoyer, Kimball, Lent, McConnell, McKinney, Pfrimmer, Reeves, Reno, Riggs, Rudder, Schmuck, Scott, Shirley, Shutt, Strange, Teeter, Troutman, Willard and Mr. Speaker—38.

So the House adjourned until Monday next at 2 o'clock p. m.

W. K. EDWARDS, Speaker.

MONDAY AFTERNOON.

February, 24, 1873, 2 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Wm. S. Wooten, Supt. of the Young Men's Christian Association of Indianapolis.

The journal of Friday was read and approved.

Mr. Kimball presented the claim of the Republican State Central Committee for rent of rooms.

Which was referred to the Committee on Claims.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 238—a bill for an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of common pleas, and transferring the business thereof to the circuit courts and providing for the election of judges and prosecuting attorneys in certain cases; and the same is herewith transmitted to the House of Representatives for its action thereon.

I am also directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled act, to-wit:

Enrolled act No. 327, House of Representatives, "An act to regulate the sale of intoxicating liquors, to provide against the evils resulting from any sale thereof, etc. And the same has been placed in the hands of the chairman of the Joint Committee on Enrolled Bills for presentation to the Governor.

The Joint Committee on Enrolled bills submitted the following report:

MR. SPEAKER:

The Joint Committee on Enrolled bills would respectfully report that they have this day presented to the Governor for his signature the following enrolled act, to-wit:

Enrolled act No. 327, House of Representatives, entitled an act to regulate the sale of intoxicating liquors and to provide against evils resulting therefrom, etc.

Mr. Rudder was called to the Chair by the Speaker.

Whereupon Mr. Edwards, of Vigo, announced the death of his colleague, the Hon. Patrick Henry Lee, Representative from the County of Vigo, and made the following remarks:

Mr. Speaker:

It is my sad duty to announce the death of my colleagae, Hon. Patrick Henry Lee, a Representative in this General Assembly, from the county of Vigo, which occurred at the residence of his brother, in the city of Terre Haute, on Saturday 22d instant.

Mr. Lee served among us during a few days at the beginning of the late special session, but being stricken by disease, was compelled to obtain an indefinite leave of absence, and under advice of his physicians, sought the more genial climate of the South. He spent the winter at Aiken, South Carolina, in the vain hope of receiving some relief from his ailments, but finding none, he returned to his home a week ago to-day,

"To die amid kindred,
Ending life where it began."

My lamented colleague was with us so short a time and was suffering to such an extent with his malady, and withal, a gentleman of such modest demeanor and reticence, that you had no opportunity to estimate his ability, probity or excellence of character. He was a man of much more than ordinary natural talent, of studious and thoughtful habits , of good purposes and acts, and had before him a very promising future. He received his acedemical education at Indiana Asbury University, where he passed with credit, most of the course of that Institution. Subsequently he entered upon the study of law, but before he could complete his professional training he was compelled by illness and other circumstances to desist from and abandon all plans for entering on the practice of his profession.

During the last summer, although in feeble health, he yielded to the solicitations of friends, and accepted a nomination for the Legislature, hoping that he would receive physical improvement from the exercise and excitement of the campaign. He made a close, careful and manly canvass of his county; but the labors he undertook in connection therewith proved too great for his shattered health, and he took his seat in the House in a most feeble bodily condition.

If Mr. Lee had been permitted to have taken part in your labors, he would have proved himself an active, intelligent and useful member, and have acquitted himself well of his legislative duties.

His fine practical sense, courtesy of manner and high moral rectitude, must have endeared him to you all. But such was not to be his fortune. The fatal disease had marked him for a speedy victim, and had well nigh sapped the foundation of his life ere he met with you. He was true in all the relations of life, a faithful and unostentatious christian, and met death with tranquility and courage. He leaves behind him a name untarnished and a memory which will long be cherished among all who knew him.

Mr. Lee was the son of the late Dr. Henry D. Lee, a worthy and esteemed citizen of Vigo county, who died in 1871. His immediate relatives, to whom he was so much endeared, in their affliction, have the sympathy of the constituency whom he was elected to represent. He leaves a devoted mother, four brothers and five sisters, with other relatives of the highest respectability and influence, with whom he was a favorite.

Mr. Lee was born in Vigo county, April 17, 1845. His obsequies occur to-day. His remains will be followed to their last resting place, on the homestead where he was born, by a large, sorrowing concourse of relatives, friends and neighbors.

The fact that his death occurred since the last adjournment, has alone prevented the making arrangements, on the part of this House, for a participation in his funeral rites. In view of this sad event, the only one of the kind that has occurred in this body, cutting him off in the morning of his manhood, "from the places that knew him on earth to know him no more forever," one of high hopes and aspirations, and these commended by merit, connected as I was with the incidents of his pure and upright life, it is proper that I should offer for adoption the following resolution:

Resolved, That this House has heard with profound regret of the death of Hon. Patrick Henry Lee, a Representative from the county of Vigo, which occurred at the city of Terre Haute, on Saturday, the 22d inst.; that in respect for his memory this hall be suitably draped in mourning the remainder of this session; that each member wear the usual badge of mourning for thirty days; that the Senate be informed thereof, for concurrence, and that this General Assembly do now adjourn for to-day.

Resolved, That a certified copy of these proceedings be transmitted to the mother of the deceased.

Mr. Johnson said: Mr. Speaker—Mr. Lee was a stranger, in part, to almost every member of this body, except the few who sat in his immediate vicinity. Perhaps I knew him about as well as any member, his seat being immediately at my right. I speak now from the seat he occupied in this hall at the beginning of the special session. I had the pleasure, perhaps, of more constant intercourse with him than any other member, except the gentleman who occupied the seat on my right. I concur in the remarks of the gentleman from Vigo (Mr. Edwards) in regard to the character of the deceased member, both in an intellectual and moral point of view. There are various styles and stamps of intellectual force. One man has force, but has, perhaps, neither depth nor soundness, but each is cast in his own peculiar mould. That was a peculiar, but excellent, mould in which nature cast Patrick Henry Lee. In my brief acquaintance with him, observing him as other members on this floor, and listening to his conversation, I had an opportunity to observe him closer than most others; and I observed one peculiar trait in his intellectual character; it was the remarkable clearness of mental vision with which he viewed every particular question that came before the House. Though he was in very bad health till he left us, which was in a short time after he took his seat, but in drawing his inferences and stating his conclusions there was not a man in the House that could express himself in words of greater power or force, or beauty; so that I formed the opinion of him that upon any question requiring a clear, comprehensive, incisive judgment, I would as soon risk him as any one on any question that might be before the House. He would comment in such a way that one single sentence or suggestion would seem a volume. Although there might be nothing peculiarly powerful or grand in his expression, yet it was always clear—it was like look-at a pebble at the bottom of a stream of pure water; it was just like that. When he expressed an idea, it was so clearly expressed that you could see right through his language into his mind. Sitting right here and talking in the ordinary way, he would seem to be wholly unconscious—and I have no doubt I was many times—of how much benefit one could derive from the simplest remarks he would drop, which would express so much—so grasping and clear were the views he would take. I feel, sir, that the members on this floor do not know what they have lost in the death of Mr. Lee, except perhaps, the few that had their place near him in this hall. I feel

that the State of Indiana has lost a great man. I feel that I am justified in saying, if he had lived into the years of his manhood, that all the people would have felt there was a great man in Mr. Lee. There was another peculiarity standing out in bold relief in his character, and that was the childlike simplicity and purity and sincerity of manner which he sustained and supported during the time that he sat with us here; whilst everything he said was as clear as the sunbeam and as pure as the sunlight itself, not the slightest intimation was ever heard from him departing from the strictest Christian morality. He was not only a gentleman, but superior far to that—he was a Christian gentleman—the noblest, the highest type of manhood. The gentleman from Vigo has referred to the example of his life, bright and beautiful, and vigorous and ingenuous. I venture to say that he is not mistaken in the character. I know he is not. From the short acquaintance I had with him, I am able to see straight back to boyhood, and trace him from boyhood up to manhood. He must have been known and recognized as an amiable, incorrupt and upright boy, youth and man. It could not have been otherwise. And in leaving us we may have this to say of him, that in the path that was marked out by him—which was without guile—he stepped surely and safely in the way of virtue. He has left behind him, perhaps, not wealth, nor wide-spread fame, but that which is far nobler and grander than all these—an honorable name and a Christian record, graven in the hearts of all his friends, and well remembered by his associates here as one of the most beautiful pictures on the walls of memory.

Mr. Smith said: Perhaps I know the deceased member better than any other gentleman on this floor, except the gentleman from Vigo (Mr. Edwards). It is with pleasure that I can look back upon the period of my acquaintance with him, which began at College at Greencastle, which associated us as members of the same literary society, and which so impressed my college life that I can safely avouch for all that has been said of him here; and I can say further, that I believe if he had been blessed with good health he would have performed a distinguished part in the history of the State, and I can but think that he must have so lived as to die having as little to regret as any man. I well remember his first coming to the college, young and inexperienced; his rising rapidly in the estimation of teachers and students; the vigorous and successful prosecution of his studies, and the enviable distinction with

which he left the school, and, because I am fully justified in doing so, I wish to add here my own hearty concurrence in all that has been said of this deceased member of the House of Representatives.

Which resolutions were unanimously adopted by a rising vote.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Represntatives that the Senate has concurred in the following resolution, to-wit:

Resolved, That this House has heard with profound regret of the death of Hon. Patrick Henry Lee, a Representative from the county of Vigo, which occurred at the city of Terre Haute, on Saturday, 22d inst.; that in respect for his memory this hall be suitably draped in mourning during the remainder of this session; that each member wear the usual badge of mourning for thirty days; that the Senate be informed hereof, for concurrence, and that the General Assembly do now adjourn for to-day.

Resolved, That a certified copy of these proceedings be transmitted to the mother of the deceased.

Whereupon the House adjourned until to-morrow at 9½ o'clock a. m.

W. K. EDWARDS, Speaker.

TUESDAY MORNING.

FEBRUARY 25, 1873, 9½ O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Elder W. F. Black, President of the Northwestern Christian University, of Indianapolis.

The journal of yesterday was read and approved.

Mr. Kimball presented the claim of Baker, Hord & Hendricks, for legal services.

Which was referred to the Committee on Claims.

Mr. Gregory introduced House bill No. 524—a bill to authorize railroad companies organized under the laws of the State of Indiana, to make contracts for the use of their tracks by the trains of each other, and to ratify bona fide contracts for such purposes heretofore named.

Which bill was read a first time and referred to the Committee on Railroads.

Mr. Jones introduced House bill No. 525—an act to amend section 33 of an act entitled "An act to provide for the government of the State University, the management of its funds, and for the disposition of the lands thereof," approved June 17, 1852.

Which bill was read a first time and referred to the Committee on Education.

The consideration of House bill No. 350, pending which the House, on Friday last, adjourned, was resumed.

The following message was received from the Governor, by Samuel R. Downey, his private secretary:

Mr. Speaker:

By direction of the Governor, I have the honor to lay before the House a communication and accompanying memorial relative to the erection of a monument on the field of Gettysburg, to the memory of General George H. Meade.

SAMUEL R. DOWNEY,
Private Secretary.

Executive Department,
Indianapolis, February 21, 1873.

Gentlemen of the House of Representatives:

I herewith present, for your consideration, a memorial addressed to the Governor and Legislature of Indiana, from the executive

committee of the "Gettysburg Battle Field Memorial Association," seeking aid from this State toward the erection upon the field of Gettysburg, of a "Historical Column with an Equestrian Statue," as a monument to the memory of Major General George H. Meade, to which I ask your attention.

As a commander, General Meade was so eminent, and his services to the country were so distinguished, that you cannot fail to sympathize with a movement intended to honor his memory and perpetuate his fame.

THOS. A. HENDRICKS,
Governor.

MEMORIAL TO MAJOR GENERAL GEORGE H. MEADE ON THE FIELD OF GETTYSBURG.

To the Governor and the Legislature of the State of Indiana:

Death having removed Major General George H. Meade, the distinguished Commander of the Army of the Potomac in the battle of Gettysburg, it is proposed to erect upon the field of Gettysburg an historical column with an equestrian statue as a memorial of the chief, the army and the battle.

The work is to be conducted under the auspices of the Gettysburg Battlefield Memorial Association, which has secured the important portions of the field and devoted its efforts to the preservation of the grounds and the works, and to the permanent indication of the battle upon the field by the erection of enduring memorials, of which this column and statue are designed to be the chief.

The title in fee to these grounds, embracing more than 130 acres, is vested in the Memorial Association, incorporated soon after the battle, by an act of the Legislature of Pennsylvania, granting all needed powers. The work of indication is in progress. Designs for several of the memorial structures have been adopted. The material, the native granite upon the field, is being collected. Soon the positions of forces and the chief points in the lines of battle, will be accurately and enduringly indicated, so that the salient features of the three days of struggle will be obvious to all observers. The field will then be its own interpreter. Great care has been taken by the reunion of officers and other means, to gather the material facts with strict impartiality from living witnesses who bore important parts in the battle.

To the memorial work, the erection of a monument, in high art, to the General in Chief, is a fitting consummation. Now that the last inexorable command has called him from among his cotemporaries, and with his mortal remains there have been buried in the tomb all the passions which might effect the illustrious name while living; now, while generous people in the freshness of sorrow at his loss feel most intensely the flush of grateful emotions, of honorable pride and patriotic appreciation of the great victory here achieved by the army under his command, is it not most meet and just and singularly appropriate that a noble creation of art should rise here on this historic field to grandly commemorate this supreme martial event, and to record imperishably the gratitude of a great and magnanimous people to its defenders, in the person of their chief? Should not art here pay tribute to arms? Should not the genius of sculpture, embodying its grand conceptions in enduring marble, in eternal granite and imperishable bronze, erect here a fitting memento of the great central figure and the decisive event of this most eventful epoch in our Nation's history? Is not the structure proposed adapted to illustrate and thereby to perpetuate the great principles of human liberty and just government, and whose defense these three days of battle were fought, so that they may dwell in the minds and hearts of all men to all times? Do they not thus deserve commemoration by art to the latest posterity? Shall not his countrymen, with honorable emulation and sincere devotion, unite their tributes to decorate with art this field which patriotism and valor have consecrated, a field in its outlines and details, and in its consequences, more grand than Waterloo? It is proposed that the structure be a noble column with an equestrian statue. One hundred thousand dollars is the sum which it is contemplated to raise for its erection, and to be known as the Meade Memorial Fund. The moneys as received are to be invested in U. S. securities until the requisite amount shall be obtained and then to be promptly applied to the erection.

How shall this fund be raised? To resort merely to individual aid would result in a fruitless effort. It is proposed that appropriations be made by the States and contributions by the cities which furnished forces to the Army of the Potomac that fought the battle and won the victory at Gettysburg.

Already New York, Pennsylvania and Minnesota have contributed to the general work of indication. They will now gener-

ously respond to this appeal, and all the other States will follow their example. In contributing to the consummation of this memorial work, they will pay a greateful tribute, not alone to the chief, but to the army, not merely to the commanders, but to the forces, not solely to the general whom Pennsylvania claims as a citizen, and to military leaders from all the other States which furnished troops, but to that grand army of private soldiers, who took the brunt and won the victory. All these will respond, "let the column with its statue rise and stand as an eloquent and perpetual memorial."

This consummation is to be secured only by combination and aggregation of effort, by unity of design and by concert of action, by the States and cities. By union of effort it must prevail. The same spirit of brotherhood and of common nationality which created and sustained the noble army of the Potomac, will give success to this vindication of popular gratitude and national honor.

Shall not this grandest martial struggle in our young but proud history, be rendered more illustrious by a commemorative structure in the highest style of art which our age and country can produce?

The nations of the old world have immortalized each grand epoch by a grander work of art. Shall not this republic of a new world signalize by a noble triumph of creative genius, her grandest achievement in arms? Shall she not reward at once the aspirations of disinterested patriotism and the efforts of genius incited by honorable ambition?

Erect then this sculptured monument to the leader of the men who, under God, here won a victory of incalculable consequence to the nation and to liberty. Let it be a shrine of patriotism, which in all times the sons of America and pilgrims from all lands shall come to view with wonder and veneration the scenes and the mementoes of heroic struggles, in which were periled and saved the life of the nation, and the perpetuity of liberty.

The Memorial Association has constituted an executive committee, composed of those whose names appear to this address, and charged them with this work. It has added to their numbers as associate members, honoray directors of the association, comprising many of the commanders of forces in the action, and others. Among these, upon whose counsel and co-operation they largely rely are Generals Grant, Sherman, Hancock, Howard, Sykes, Sickles, Slocum, Barlow, Robinson, Newton, Williams,

Crawford, Howe, Wright, Humphreys, Steinwehr, Warren, Pleasenton, Gregg, Hunt, Gibbon, Graham, Chamberlain, Schurz, Fairchild, Tilton, Sweitzer, Greene, Webb, Meredith, McAllister, and others.

Auxilliary Committees are being appointed in the large cities, and in the several States. Organized effort in a work of such great moment and interest gives assurance of success. Shall we not have your co-operation. We await your action and response.

John W. Geary, Harrisburg, Pa.
Henry C. Carey, Philadelphia, Pa.
Edmund A. Lowder, Philadelphia, Pa.
Gen. J. Watts De Peyster, New York.
William M. Hersh, Pittsburgh, Pa.
A. O. Hiester, Harrisburg, Pa.
W. N. McAllister, Bellefonte, Pa.
D. McConaughy, Gettysburg, Pa.
J. B. Danner, Gettysburg, Pa.
George Arnold, Gettysburg, Pa.
A. D. Buehler, Gettysburg, Pa.
Dr. Chas. Homer, Gettysburg, Pa.
J. L. Schick, Gettysburg, Pa.
John M. Krauth, Gettysburg, Pa.

Memorial Executive Committee.

The following are the officers of the Gettysburg battle field Memorial Association:

Governor John W. George, President.
D. McConaughy, Vice President and Actuary.
George Arnold, Treasurer, Cashier 1st National Bank of Gettysburg.
John M. Krauth, Secretary.

The board consists of thirteen directors, who compose the Memorial Executive Committee. Address all communications to D. McConaughy, chairman of Meade, Memorial Executive Committee, Gettysburg, Pa.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled act, to-wit:

Enrolled act No. 200, of the House, entitled "An act to authorize and empower boards of county commissioners to equalize local bounty to soldiers, to issue bonds or orders therefor, to levy and collect taxes for the redemption of such bonds or orders, declaring how such taxes may be collected, when such bonds or orders shall be issued, the time when they shall be paid, the rate of interest thereon, and legalizing such as have been issued, and declaring an emergency."

Also, I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker, the following enrolled joint resolution of the Senate, to-wit:

Enrolled joint resolution No. 8, entitled "A joint resolution in relation to the cancellation of certain bonds of the State therein mentioned."

The Speaker announced that he had signed Senate joint resolution No. 8.

The following message was received from the Governor, by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to lay before the House a communication from his Excellency, returning enrolled House bill No. 71 with his objections thereto.

SAMUEL R. DOWNEY,
Private Secretary.

EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 24, 1873.

Gentlemen of the House of Representatives:

I herewith return House bill No. 71 without my signature. This bill was presented for my approval, on the 12th day of February, by the Joint Committee on Enrolled Bills, and on the 14th

the same committee presented to me the following resolution of the Senate:

Resolved, That his Excellency, Governor Hendricks, be, and is hereby, respectfully requested to return to the Senate enrolled House act No. 71.

I at once, on that day, delivered the bill to that committee, and on the 17th, the committee made the following report to the Senate:

MR. PRESIDENT:

The Joint Committee on Enrolled Bills report that, in pursuance of a resolution of the Senate after presenting said resolution to the Governor, the Governor returned to said committee enrolled act No. 71, of the House of Representatives, which is herewith returned to the Senate.

The Senate took no further action upon the bill until the 21st, when the following resolution was adopted:

Resolved, That all resolutions and motions adopted by the Senate, relative to House act No. 71, since the passage of said bill by the Senate, are hereby declared inoperative and void.

After the adoption of that resolution, and on the same day, the bill was again presented to me by the same committee. I was embarrassed in respect to my duty by this action of the Senate, but I was of the opinion that the bill had not become a law, and that, upon the facts, it was to be regarded as presented on the 21st, yet I thought it my duty to take the opinion of the Attorney General on the question, and I addressed him the following letter, and and received his reply as follows:

STATE OF INDIANA, EXECUTIVE DEPARTMENT,
INDIANAPOLIS, February 23d, 1873.

Hon. J. C. Denny, Attorney General:

DEAR SIR:—House bill No. 71 passed both branches of the Legislature, and on the 12th instant was presented for my approval. On the 14th the Senate adopted a resolution requesting me to return the bill to that body. The resolution was, on the day of its

passage, presented to me by a member of the Joint Committee on Enrolled Bills, and I handed the bill to a member of that committee to be presented to the Senate, in pursuance of the resolution. On the 17th the following report was made from that Committee and concurred in by the Senate:

MR. PRESIDENT:

The Joint Committee on Enrolled Bills, report that in pursuance of a resolution of the Senate, after presenting said resolution to the Governor he returned to said Committee Enrolled act No. 71 of the House of Representatives, which is herewith returned to the Senate.

No further action appears to have been had upon the bill until the 21st instant, when the Senate adopted the following resolution:

Resolved, That all resolutions and motions adopted by the Senate relative to House act No. 71, since the passage of said bill by the Senate, are hereby declared inoperative and void.

After the adoption of that resolution, and on the same day, the bill was brought from the Senate and presented to me by the Joint Committee on Enrolled Bills, and now in my hands.

Will you be pleased to give me your opinion upon the question whether upon these points the bill has become a law without my signature.

I am, very respectfully, yours, &c.,

THOMAS A. HENDRICKS,
Governor.

OFFICE OF ATTORNEY GENERAL,
INDIANAPOLIS, Feb. 24, 1873.

His Excellency, Thomas A. Hendricks, Governor of Indiana:

SIR:—I have, in the brief time allowed me, examined the question submitted in your communication of the 22d instant. You state that House bill No. 71 passed both branches of the Legislature, and on the 12th instant was presented for my approval. On the 14th the Senate adopted a resolution requesting me to return the bill to that body. The resolution was, on the day of its passage presented to me by a member of the Joint Committee on En-

rolled Bills, and handed the bill to a member of that Committee to be presented to the Senate in pursuance of that resolution.

On the 17th the following report was made from that committee and concurred in by the Senate:

MR. PRESIDENT:

The Joint Committee on Enrolled Bills report that in pursuance of resolution of the Senate, after presenting said resolution to the Governor, the Governor returned to said committee enrolled House act No. 71, which is herewith returned to the Senate. No further action appears to have been had upon the bill until the 21st instant when the Senate adopted the following resolution:

Resolved, That all resolutions and motions adopted by the Senate relative to House act No. 71, since the passage of said bill by the Senate are hereby declared inoperative and void; and after the adoption of that resolution, and on the same day the bill was brought from the Senate and presented to me by the Joint Committee on Enrolled Bills, and is now in my hands, will you be pleased to give me your opinion on the question whether upon these facts, the bill has become a law without my signature?"

In answer to the question stated by you, will state that a proper construction of section 14, article 5 of the Constitution allows the Governor three full consecutive days to consider all bills presented to him; that the two days the bill was in your hands the first time it was presented, can not be considered as a part of the three days provided for in the section of the constitution above referred to. It seems clear to my mind that this is the proper construction to be given to this section of the Constitution. Any other construction might result in great wrong. The Senate had the undoubted right to recall the bill in question for the purpose of reconsidering their former action, and it must be presumed that this was the purpose for which it was recalled. It surely can not be said that a bill could be presented to the Governor one day, recalled the same or the next day, retained by that body three days, and that then because three days had elapsed since the bill was first presented, that therefore it became a law without the Governor's approval. Such rule would prevent the Governor having the bill in his hands the three days contemplated by the Constitution. My opinion,

therefore, is, that the bill referred to by you in your communication has not become a law, and that you may now approve or return the same with your objections to the House of Representatives.

Respectfully, etc.

J. C. DENNY, Attorney General.

Assuming that the bill may yet be returned to your body with my objections, I respectfully submit the following: This bill is to amend section sixty of the act of March 14, 1867, for the incorporation of cities. That section authorizes cities incorporated under that act "to borrow money to subscribe to the stock of any plank-road or railroad, running into or through such city; to make donations in money, or the bonds of such city to aid in the construction of any such roads, only on petition of a majority of the resident freeholders thereof." The residue of the section provides for the necessary tax and prescribes the mode and conditions upon which the aid may be given towards the construction of the roads. The material amendment to that section proposed by this bill is found in the provision authorizing cities to "subscribe stock to any bridge company organized under the laws of this State, or any other State, to construct a bridge across any river or watercourse within or bordering on this State, where such bridge has its termini, or either turminus, within such city, to make donations in money or the bonds of such city, to aid in the construction of such road or such bridge, and of such other public works, buildings or improvements, within the limits of such city as shall be deemed of material and permanent benefit thereto." I do not object to the amendment so far as it enables cities to aid in the construction of bridges to be used in connection with the roads already provided for. They constitute a part of the highways over which the people travel and upon which railroads may be constructed; and both usage and the decisions of our Courts established them as legitimate and proper objects for which the power of taxation may be exercised, but I object to the provisions allowing the people to be taxed and the money and credit of the cities to be used for the construction of such other public works, buildings or improvements within the city as shall be deemed of material and permanent benefit thereto; the objects of public aid so defined are vague and uncertain, and the power conferred is dangerous, as I believe, without constitutional sanction. What buildings and improvements are

contemplated? Not such buildings as the city may require for the use of her officers in the discharge of her public duties; not city prisons, nor market houses, engine houses, houses of refuge, pest houses and hospitals, nor works to supply the city with water and light, nor wharves, docks, peers and basins, nor sewers, drains and cisterns, for these are already provided for by section 53 of the act of 1867. The amendment must and will be construed as providing for buildings and improvements other than those already provided for, and these words, "as shall be deemed of material and permanent benefit thereto," which are used as words of description and limitation will be referred to as the only restriction upon the power conferred. With such construction of the language the city authorities will esteem themselves clothed with power to decide what buildings and improvements are of material and permanent benefit, and so their judgment of the value and importanee of the work will become the only restraint upon their right to tax the people and use the public credit. Nearly all valuable and costly structures are of material and permanent benefit to the locality in which they are made. Manufacturing establishments, machine shops, mills and mercantile houses give employment to labor, furnish a market for supplies, and stimulate all classes of legitimate business, and are a public and permanent benefit whether constructed and maintained by individvals or by private corporations. Every useful structure and employment is of public value, but the object is individual gain; and however great the incidental public advantage may be, the great body of the people can not be taxed for the benefit of those so directly interested.

At the session of 1867, my predecessor was called upon to consider this question upon a bill authorizing county boards to aid, by the use of the public money, in constructing manufacturing establishments or machine shops in the county; and in presenting his objections to the bill he said:

"I respectfully object to this legislation, because it is unwarranted by the constitution, and might be made the instrument of the grossest injustice and oppression. It proposes to take property from all the taxpayers of the county, first gathered into the county treasury by the coercive power of taxation, and then donate it to or bestow it upon a few individuals of a very small class to aid them in carrying on their own private business. The justification

for this implied in if not expressed by the bill is, first, that the board of commissioners shall deem it best for the interest of the county; secondly, that a majority of the resident taxpayers shall petition for the appropriation. Are these valid reasons for the diversion of public moneys to private uses? I think not. The board of commissioners might well deem that the appropriation of money to many objects would be conducive to the best interests of the county, and yet the Legislature not have the right to authorize appropriations to such objects. The erection of good churches, barns or blacksmith shops, might correctly be considered conducive to the best interests of a county; but does it follow from this that the Legislature may authorize taxes collected for public objects to be applied to such private enterprises?"

That bill allowed the aid only upon the petition of a majority of the resident taxpayers, whilst this bill requires only a majority of the resident freeholders. Upon that provision my predecessor expressed the following views:

"The bill, however, requires that a majority of the resident taxpayers should petition for the appropriation. Does this supply the want of authority to take property in the shape of taxes from one man to give it to another man? surely not, majorities have, and may most appropriately exercise certain rights and powers, but this is not one of them. They may choose their Representatives and other officers of government, through whom the laws may be made and administered, and so long as the laws thus made and administered, do not transcend the limits prescribed by the Constitution, the minority have no right to complain. The idea however, that there is a sovereign power in the people of each county or township which will enable a majority of them at pleasure to vote money out of one man's pocket and by passing it through the public treasury deposit it in the pockets of another man, under the plea, that thereby the public interests are promoted is a perversion of the rights and powers of majorities."

For the able consideration of these questions presented by my predecessor, I refer you to Brevier Legislative Reports, volume 9, page 4. I regret the necessity to interpose my objections to a bill, containing provisions that are unobjectionable and of such public importance, but I am greatly relieved of anxiety on that account, by the consideration, that both branches of the Legislature have

favorably considered the measure in regard to aiding in the construction of bridges, and there need be no delay in the passage of a bill to that end.

Should you concur in any objections to this bill, I recommend the passage of an act to authorize cities to aid in the construction of bridges.

THOMAS A. HENDRICKS,
Governor.

On motion, the message of the Governor, just received, in relation to House bill No. 71 and his objections thereto, were taken up and made a special order for to-morrow at 2 o'clock.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that they have this 25th day of February, 1873, presented to the Governor House bill No. 200, entitled, "An act empowering boards of county commissioners to equalize local, county bounties, etc.," for his approval and signature.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following Enrolled Joint Resolution, to-wit:

Enrolled Senate joint resolution No. 8—a joint resolution in relation to the cancellation of certain bonds of the State therein named, and the same has been delivered to the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled bills report that they have, this 25th of February, 1873, presented to the Governor for his sig-

nature, Senate joint resolution No. 8, entitled "A joint resolution in relation to the cancellation of certain bonds of the State therein mentioned."

Pending the consideration of House bill No. 350, on motion of Mr. Billingsley, the house adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The consideration of House bill No. 350 was resumed.

Mr. Walker moved to lay the minority report on the table.

The question being, shall the minority report be laid on the table?

Whereupon Messrs. Shirley and Willard demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Broaddus, Butts, Clark, Claypool, Cowgill, Crumpacker, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Jones, King, Kirkpatrick, Lenfesty, Mellett, North, Offutt, Ogden, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard and Mr. Speaker—45.

Those who voted in the negative were, Messrs. Baker, Barker, Bowser, Branham, Brett, Buskirk, Butterworth, Cobb, Coffman, Dial, Durham, Eaton, Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Kimball, Martin, McKinney, McConnell, Peed, Pfrimmer, Reeves, Reno, Rudder, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Willard, Wood and Woollen—39.

So the minority report was laid on the table.

Mr. Shirley moved to lay the majority report on the table.

The question being, shall the majority report be laid on the table?

Whereupon Messrs. Gregory and Walker demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Anderson, Baker, Barker, Bowser, Brett, Buskirk, Butterworth, Cobb, Coffman, Dial, Durham, Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Kimball, Martin, McConnell, McKinney, Peed, Pfrimmer, Reeves, Reno, Rudder, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Tingley, Tulley, Whitworth, Willard, Wood, Woollen and Mr. Speaker—40.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Branham, Broaddus, Butts, Clark, Claypool, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Mellett, North, Offutt, Ogden, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley) and Woodard—46.

So the majority report was not laid on the table.

Mr. Kimball offered the folllowing amendments to the majority report:

Strike out amendments reported by the majority of the committee, and amend the bill as follows:

Section 1. That any number of persons, not less than thirteen, a majority of whom shall be residents of the State, may associate and form an incorporation or company, to make insurance on the lives of individuals, and every insurance appertaining thereto, or committed therewith, and to grant, purchase or dispose of annuities and endowments of any kind.

Sec. 2. The persons referred to in the first section of this act, shall be designated corporators, and they shall file in the office of the Insurance Commissioner a declaration, signed by each of them,

setting forth their intention to form a company for the purposes named in this act, which shall include a copy of the charter they propose to adopt, which charter shall set forth the name and plan of organization of the company; whether stock or mutual, and the amount and description of capital, not less than one hundred thousand dollars; the place where it is to be located; the kind of business to be undertaken; the mode and manner in which the corporate powers of the company are to be exercised; the manner of electing the trustees or directors and officers, and the number thereof; the time of such election; the manner of filling vacancies; the amount of capital to be employed, and such other particulars as may be necessary to explain and make manifest the objects and purposes of the company, and the manner in which it is to be conducted.

Sec. 3. Whenever the corporators shall file such declaration with the Insurance Commissioner, he shall submit the same to the Attorney General for examination; and if found by him to be in accordance with the provisions of this act, and not inconsistent with the Constitution and laws of the United States, and of this State, he shall certify to the same, and deliver it to the Insurance Commissioner, who shall cause the said declaration, with the certificate of the Attorney General, to be filed away, after the same has been recorded in a book to be kept for that purpose; and, upon application of the corporators, or a majority of them, to the said Commissioner, it shall be his duty to furnish to them a certified copy of such declaration and certificate, under his seal of office.

Sec. 4. Whenever the incorporators shall have received from the said Commissioner the certified copy provided for in the preceding section, and desire to proceed to organize such company, they shall publish their intention in a newspaper published in the county, or if none be published in the county in which said company is to be organized, then in a paper having general circulation therein published in this State; and when such intention has been published in said paper for six weeks, they may open books to receive subscriptions to the capital stock, and keep such books open until the amount required by this act is subscribed, and may then proceed to distribute the stock among the subscribers, if more than the necessary amount is subscribed, and proceed to collect in the said capital and complete the organization of the company. The

Commissioner, upon notice to him that the capital stock named in the charter has been subscribed and one ——— paid in, shall make an examination, or cause one to be made, by some disinterested person specially appointed by him for that purpose, or by his deputy, and if upon examination it shall be found by the Commissioner or his deputy, or certified to him by the person so appointed, under oath, that the provisions of this act have been complied with by said company, so far as applicable thereto, which certificate, when made, shall set forth the particulars of said compliance, then the Commissioner shall so certify; and the corporators or officers of such company shall be required to certify, under oath, to the person making such examination, that the money or required securities exhibited to him are the *bona-fide* property of said company.

Sec. 5. Whenever the corporators shall have fully organized such company, and the Insurance Commissioner shall be furnished with satisfactory evidence that the required amount of capital has been paid in, invested and deposited as hereinafter provided, it shall be his duty to furnish the corporation with a certificate of such deposit, which, with a certified copy of all the papers elsewhere required under this act, shall, when filed in the County Clerk's office in the county where the company is to be located, be the authority to commence business and issue policies, and the same may be used in evidence for and against the corporation in all suits. All such companies may, in their corporate name, sue and be sued, appear, prosecute, and defend to final judgment, and have a common seal which they may alter at pleasure. They may adopt by-laws not inconsistent with their charter or this act, or the constitution and laws of the State, as may be deemed necessary for the management of its affairs.

Sec. 6. No insurance company, organized under any general or special law of this State, shall adopt the name of any existing insurance company or association transacting business in this State, or any name so similar thereto as to be calculated to mislead the public; and the Insurance Commissioner is hereby prohibited from granting necessary certificates to any such company adopting a name prohibited by this act to enable it to procure the authority to do business.

Sec. 7. Every insurance company doing business in this State shall conduct the same in the proper and corporate name of said

company, and not by various and different names. The policies or contracts of insurance by any company shall be headed or entitled only in the corporate name or title of said company.

SEC. 8. The capital stock and accumulation not required for its current business of every insurance company deriving its authority from any general or special law of this State, shall be invested in the bonds or treasury notes bearing interest of the United States, or bonds of the State of Indiana, or of any city, town, or county of this State, having lawful authority to issue the same; or in bonds of corporations organized under the laws of this State; or they may be invested and loaned on mortgages of real estate in the State of Indiana, unincumbered and worth at least double the amount loaned thereon, or on pledges of any of the stocks or bonds named in this section, and Life Insurance Companies may make loans on policies in force, not exceeding thirty-three and one-third per cent of gross premiums. The evidence of debts, whether notes, bonds, or other instrument, shall in all cases be lodged with and accompany the mortgage, in such manner that the mortgage cannot be released without the consent of the company. When any insurance company, organized under the laws of this State, shall transact business in any other State, it may invest its surplus funds in such State, in like security, and under the same restrictions as in this State. Every Life Insurance Company organized under any general or special law of this State, shall deposit with the Treasurer of State, who shall receive the same in his official capacity, any of the bonds or securities, in which by law, it is authorized to invest its capital and accumulations, to an amount not less than one hundred thousand dollars, to be held by said Treasurer for the benefit of policy holders of the company making such deposit. When any mortgage debt shall be deposited, it shall be accompanied with a notice served upon or acknowledged by the mortgagor that the same has been deposited for the purpose aforesaid. When required to do so, said Treasurer shall give to any company making the aforesaid deposit, a certificate thereof giving a description of the securities and their par and market value, which valuation must be approved by the Insurance Commissioner, and if said securities shall, at any time, depreciate so that their aggregate value is less than $100,000, the Insurance Commissioner shall notify and require said company to make good such deficit; in default whereof, for thirty days after such notice, he shall notify the company to cease to do business until the same

has been done. So long as any company so depositing, shall continue solvent, and shall not be in arrears for taxes, or other assessments, the Treasurer shall permit said company to collect the interest or dividends on its securities so deposited, and from time to time withdraw any such securities on depositing others instead of those withdrawn, such new securities of at least equal value and of the kind mentioned in this act; but such securities, or any part of the same, shall not be withdrawn from deposit except upon written order of the acting President or Secretary, or of the Directors of the company making the deposit, indorsed by the Insurance Commissioner, or upon the order or by the authority of some court of competent jurisdiction; and if the said Treasurer shall willfully fail, refuse, or neglect to faithfully keep, deposit, account for, or surrender in the manner by this act, authorized or required, any such securities as aforesaid, received by him, or into his custody, under the provisions of this act, such Treasurer so offending, shall, upon conviction thereof, be adjudged guilty of a felony, and punished by a fine not exceeding ten thousand dollars, and by imprisonment in the State Prison for not less than two nor more than ten years.

Sec. 9. Any Court of competent jurisdiction, whenever a judgment shall have been recovered against any company by which any securities have been deposited, as hereinbefore required or authorized, upon a policy issued by such company, and an execution issued upon such judgment shall have been returned unsatisfied, wholly or in part, shall, upon motion made by the plaintiff in such execution, upon three days' notice to the company, order the Insurance Commissioner and Treasurer to deliver into Court, of the securities so deposited by said Company, an amount sufficient to satisfy said judgment in full, or so far as such securities will suffice therefor; which order, being obeyed, shall release the Treasurer and Commissioner, having such securities on deposit, from further liability in respect to the same; and the securities so delivered into Court shall be collected or disposed of for the benefit of said plaintiff, as provided by law in respect to notes or securities delivered into Court by a garnishee; and whenever any securities, such as aforesaid, shall be delivered into any Court, under the foregoing provisions, said Commissioner, unless the Company against whom such execution issued shall, within ten days thereafter, deposit with the Treasurer other securities of like description and value, and

for the like purposes as the securities so withdrawn, shall proceed, in respect to such company, in the manner provided by law with respect to companies believed by him to be insolvent, or in an unsound condition.

Sec. 10. The insurance commissioner and treasurer may deliver up to any insurance company the securities held by the treasurer, in virtue of this act, and belonging to such company, on being satisfied, by the exhibition of the books and papers of such company or Association, and on examination to be made by the Commissioner, or some competent person to be appointed by him, not an officer of any Life Insurance Company in this State, and upon the oath of the President or principal officer, and the Secretary or Actuary, of the same, or a majority of the Trustees or Directors, that all debts and liabilities of every kind are paid and extinguished that are due, and may become due, upon any contract or agreement made with any citizen of the United States; and the said Commissioner and Treasurer may also, from time to time, deliver up to such Company or Association, or its assigns, any portion of said securities, on being satisfied in manner and form aforesaid, or by any other competent proof, that all the debts and liabilities of every kind that are due, or may become due, upon any contract or agreement made with any citizen of this State or of the United States, by said company, are less than one-half of the amount of the portion of said securities that shall be retained on deposit; but before they shall so deliver up the whole, or any portion of said securities, they shall advertise, in some newspaper published in this State, for three months, the intention to do so, unless good cause is shown why they shall not be so delivered up.

Sec. 11. Every insurance company organized under this act, or other law of this State, shall have authority to reinsure any risk herein authorized to be taken, or any part thereof.

Sec. 12. No life insurance company, organized under the laws of this State, shall issue policies, insuring fire, or marine, or accident, or live stock risks, or to do any banking business.

Sec. 13. It shall be lawful for any married woman, by herself and in her own name, or in the name of any third person, with his assent as her trustee, to cause to be insured, for her sole use, the life of her husband, for any definite period, or for the term of his natural life; and in case of her surviving such period, or term,

the sum of net amount of the insurance becoming due and payable by the terms of the insurance, shall be payable to her, to and for her own use free from the claims of the representatives of the husband, or any of his creditors: *Provided, however*, That if the premium on such policy is paid by any person with the intent to defraud his creditors, an amount equal to the premium so paid, with interest thereon, shall insure to the benefit of said creditors, subject, however, to the statute of limitations, the amount of the insurance may be made payable, in case of the death of the wife before the period at which it becomes due, to his, her, or their children, for their use, as shall be provided in the policy of insurance, and to their gurdian, if under age.

Sec. 14. No policy of insurance, issued by any life insurance company organized under the laws of this State, shall be forfeited, or become void, by the non-payment of premium thereon, after the first annual premium shall have been paid, further than as follows, to-wit: The net value of the policy, and additions thereto, if any, when premium becomes due and was not paid, shall be ascertained according to the "American experience rate of mortality and interest at 11½ per cent. per annum;" three-fourths of such net value shall be considered a net single premium of paid up insurance for the whole term for which the original policy was issued, such paid up policy to be predicated upon the assumption of mortality and rate of interest aforesaid, and at the age of the party insured at the time of the lapse of the premium: *Provided*, That when policies of insurance are endowments, or in term payments of fifteen years, or less, than four-fifths of such net value shall be considered a single premium, as aforesaid; and when the premium charged by a company based upon the assumption of six per cent. interest, then six per cent shall be the rule in determining the net value of such policies, instead of 4½ per cent., as above: *Provided, further*, That the party interested in any case, shall have the right to take such net value in cash instead of the paid up insurance, as aforesaid, if application be made therefor within sixty days after the lapse of such policy.

Sec. 15. Any number of persons not less than thirteen, may associate and form an incorporated company, for the following purposes, to-wit: To make insurance on dwelling houses, stores, and all kinds of buildings, and upon household furniture and other

property, against loss or damage by fire, and the risks of inland navigation and transportation, any and all insurance companies hereafter incorporated under the provisions of this act, which shall, in the declaration and charter provided to be filed, have expressed an intention to make insurance against loss or damage by the risks of inland navigation, or transportation, shall have the power to make insurance upon vessels, boats, cargoes, goods, merchandize, freight, and other property against loss and damage by all or any of the risks of lake, river, canal, and inland navigation and transportation.

Sec. 16. No company organized under the foregoing section for the purpose of insuring property against loss or damage by fire, shall have a smaller capital than one hundred thousand dollars, actually paid up, nor shall any company formed for the purpose of doing the business of fire, marine, and inland navigation insurance, have a smaller capital paid up in cash than two hundred and fifty thousand dollars, and all the conditions and requirements of sections 2, 3, 4, 5, 6, 7 and 8, of this act, relating to the incorporation of companies, shall apply to all insurance companies organized for the purposes enumerated in section 14, as far as applicable.

Sec. 17. It shall be lawful for the Directors, Trustees or managers of any Fire, Marine, or Inland Navigation Insurance Company to make any dividends except from the surplus profits arising from their business; and in estimating such profits, there shall be reserved therefrom a sum equal to the whole amount of unearned premiums on unexpired risks and policies; and also, there shall be reserved all sums due the corporation on bonds and mortgages, stocks and book accounts, of which no part of the principal or interest thereon has been paid during the last year, and for which foreclosure or suit has not been commenced for collection, or which, after judgment obtained thereon, shall remain more than two years unsatisfied: *Provided always*, That any company may declare dividends not exceeding ten per cent. on its capital stock in any one year, that shall have accumulated and be in possession of a fund, in addition to the amount of its capital stock and of such dividends, and all actual outstanding liabilities, equal to one-half the amount of all premiums on risks not terminated at the time of making such dividend. Any dividend made contrary to these provisions, shall subject the company making the same to a

forfeiture of its charter, and each stockholder receiving it, to a liability to the creditors of such company to the extent of the dividends received, in addition to the other penalties and punishments in such cases made and provided. This section shall not apply to the declaration of scrip dividends by participating companies, but no scrip dividends shall be paid, except from surplus profits, after reserving all sums as above provided, including the whole amount of premiums on unexpired risks. The word "year" wherever used in this section shall be construed to mean the calendar year.

Sec. 18. No company authorized by or under this act shall purchase, hold or convey real estate, excepting for the purpose and in the manner set forth, to-wit:

First. Such as shall be requisite for its convenient accommodations in the transaction of its business; or

Second. Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted, or for money due; or

Third. Such as shall have been conveyed to it in satisfaction for debts previously contracted, in their legitimate business, or for money due; or

Fourth. Such as have been purchased at sales upon judgments, decrees, or mortgages, obtained or made for such debts.

And it shall not be lawful for any such company to purchase, hold or convey real estate in any other case, or for any other purpose; and all such real estate as may be acquired as aforesaid, and which shall not be necessary for the accommodation of such company in the transaction of its business, shall be sold and disposed of within five years after such company shall have acquired title thereto, unless the company shall procure a certificate from the Insurance Commissioner that the interest of the company will suffer materially by a forced sale thereof; in which event the sale may be postponed for such a period as the said Commissioner shall direct in said certificate; and the said Commissioner may also give such certificate, and extend the time for holding real estate, in the like circumstances, on the application of any insurance company heretofore incorporated.

Sec. 19. Any existing insurance company, and any company formed under this act, may at any time increase the amount of its capital stock, after notice given once a week for four weeks, in any

newspaper published in the county where such company is located, of such intentions, with a written consent of three-fourths in amount of its stockholders, or with the unanimous consent of its Trustees, on filing a copy of their charter so amended, together with a declaration under its corporate seal, signed by its President and Directors, of their desire so to do, with such written consent of its stockholders, or the unanimous consent of its Trustees, to such increase, in the office of the Insurance Commissioner, and upon the same proceedings had as are required for the incorporation of companies.

Sec. 20. All Insurance Companies heretofore organized in the State of Indiana, and now doing business in this State, are hereby brought under all the provisions of this act, except that their capitals may continue of the amounts and character named in and authorized by their respective charters, or articles of association, during the existing term of such charters, or articles of association, and the investments of the capital and assets of such companies may remain the same as prescribed by their charters, or articles of association, anything in this act to the contrary notwithstanding; and such companies shall also be entitled to all the privileges and powers granted by said charters, or articles of association.

Sec. 21. All companies incorporated or extended under this act shall be deemed and taken to be bodies corporate and politic, in part and in name, and shall be subject to all the provisions relative to corporations, so far as the same are applicable.

Sec. 22. When a majority in number or interest of the numbers of an Insurance Company, incorporated in this State, desires to close its concerns, they may apply by petition to any court having jurisdiction of the county where such insurance company is located, setting forth in substance the grounds of their application; and the court, after due notice to all parties interested, by publication in a newspaper published or having general circulation in the county where the company is located, at least once a week for six months, may proceed to hear the matter, and for reasonable cause declare a dissolution of the company; corporations so dissolved shall be deemed and held extinct in all respects as if their charter had expired by their own limitation: *Provided, however*, That all necessary proceedings may be taken by the company, or by the

court for closing up its affairs, and the court having such jurisdiction may make such orders, injunctions and decrees as justice and equity requires.

SEC. 23. If upon examination the Commissioner is of opinion that a company is insolvent, or that its condition is such as to render its further proceedings hazardous to the public or to those holding its policies, he shall report to the Attorney General, who shall apply to a Judge of the Circuit Court of the county where such company is located, to issue an injunction restraining such company in whole, or in part, from further proceedings with its business; notice of which application shall be forthwith served on said company or its representative; and said application shall be heard within twenty days after such notice, unless for good cause shown by the company or the commissioners, further time shall be deemed necessary to the ends of justice. The court shall have power to refer the complaint or application of the Attorney General to a referee, to inquire into and report upon the facts stated herein. He may make such orders and decrees as may be needful to suspend, restrain or prohibit the further continuance of the business of the company; and may appoint agents or receivers to take possession of the property and effects of the company, subject to such rules and orders as are, from time to time, according to the course of proceedings in equity, prescribed by the court or a judge thereof in vacation.

SEC. 24. Whenever upon examination the Commissioner is of opinion that any Insurance Company, incorporated in this State, has exceeded its powers or failed to comply with any of the rules, restrictions, or conditions provided by law he may apply to the Judge of the Circuit Court or of any courts having jurisdiction in the county where such company is located, to issue an injunction restraining such company, in whole or in part, from further proceeding with its business; and the provisions of the preceding section are hereby extended to the proceedings under this section. The cost and reasonable expenses of any examination or proceeding authorized by this or the preceding section of this act, including reasonable attorney's fees, to be allowed and taxed as cost by the Court or Judges appointing such attorney as aforesaid, shall be paid by the company so examined or proceeded against; and such expenses other than taxed may be recovered by said company: *Provided*, That if any injunction issued hereunder be

dissolved, and the court or Judge dissolving the same shall not state in the order or decree of dissolution, that there was reasonable grounds for procuring such injunction, the cost of such proceedings shall be taxed and paid by the Commissioner of the Insurance Department and shall be allowed him in his accounts upon proper vouchers therefor as expenses of said Department.

SEC. 25. All accounts rendered by receivers of insurance companies appointed as provided in this act to the court having jurisdiction, shall be referred to the Insurance Commissioner, who shall carefully examine the same, and report to the court any errors or omissions; and the court may make all such orders and decrees in the premises as to law and justice appertain.

SEC. 26. The receivers of insurance companies shall report to the insurance commissioner annually, in such form as he may prescribe, on the thirty-first day of December of each year, and as much oftener as he may direct. Such report or abstract therefrom shall be incorporated in the annual report of the Commissioner.

SEC. 27. It shall not be lawful for any insurance company, not organized under the laws of this State, to do business therein, unless such company shall be possessed of the amount of paid up capital required of similar companies incorporated under laws of this State, nor shall any such company be admitted to do business in this State until it has filed in the insurance department a copy of its charter, articles of association, or deed of settlement.

SEC. 28. No insurance company not of this State, nor its agents, shall do business in this State until it has filed with the Insurance Commissioner of this State a written stipulation, duly authenticated by the company, agreeing that any legal process affecting the company, served on some agent or attorney, to be explicitly designated, shall have the same effect as if served personally on the company within this State, and if such agent or attorney keep himself concealed or avoid service, such process may be served on him by publication, or posting, or otherwise, in the manner which shall then be prescribed by the law of this State for substituted service. So long as any liability of the stipulated company to any resident of this State continues, such stipulation can not be revoked or modified, except that a new one may be substituted.

Sec. 29. No insurance company, not organized in the United States, shall do business in this State unless it has on deposit with the Commissioner of this State, for the benefit of all its policy-holders in the United States, the sum of two hundred thousand dollars invested and valued as prescribed in section — of this act: *Provided, however*, when such foreign Insurance Company, which has its principal agency in the United States in any State, when by the laws of such State such companies are required to deposit an amount equal to or greater than the amount required by this section, such companies may file with the Insurance Commissioner a certificate made by the officer holding such deposit, that he holds a deposit made by such company in amount equal to the deposit required by this section, and then no deposit shall be required.

Sec. 30. The Insurance Commissioner shall require each and every Insurance Company, not organized under the laws of this State, and doing business therein, to report to his department, in the months of January and July of each year, under the oath of its President and Secretary, the gross amount of all premiums received in the State of Indiana, less losses actually paid within this State, for the six months last preceding ending on the last days of December and June; and the Commissioner shall collect from such companies the sum of three dollars on every one hundred dollars of such premiums received. Any company failing or refusing for more than thirty days to render an accurate account as above of all premiums received, and to pay the required tax thereon, shall forfeit one hundred dollars for such offense, and the Commissioner shall revoke all authority to such company and its agents. All moneys collected by the Commissioner, under the provisions of this section, shall be paid by him into the treasury of State on the first days of February and August of each year.

Sec. 31. Every Insurance Company doing business in this State, must transmit to the Insurance Commissioner a statement of its condition and business for the year ending on the preceding 31st of December, which statement shall be rendered on the 1st day of January following, or within thirty days thereafter, by Fire Insurance Companies or within sixty days thereafter, by Marine and Life Insurance Companies; except that foreign companies shall transmit their statements of business, other than that done in the United States, prior to the following first day of July.

Sec. 32. The annual statements required by the last section must be in form, and state the particulars required by the blanks prescribed by the Commissioner; and the Insurance Commissioner may require, at any time, statements from any Company doing business within this State, or any of its officers or agents, on such points as he deems necessary and proper to elicit a full exhibit of its business and standing. The statements required under this act must be verified by the signature and oath of the President or Vice President, with those of the Secretary or Actuary, or by those of a majority of the Directors.

Sec. 33. No Company, having neglected to file a statement required from it within the time and in the manner prescribed, shall do any new business, after notification by the Commissioner, while such neglect continues, and any Company neglecting to make and transmit any statement required, shall forfeit one hundred dollars for each day's neglect. Any Company or person wilfully making a false statement in any report to the Commissioner, is liable to a fine of not less than five hundred dollars and not more than one thousand dollars, to be imposed by any court of competent jurisdiction.

Sec. 34. The Insurance Commissioner shall, as soon as practicable in each year, calculate, or cause to be calculated in his office, by officers or employes of his department, the net value, on the 31st day of December of the previous year, of all the policies in force on that day in each Life Insurance Company doing business in this State, organized by authority of this State, and of every other Life Insurance Company, doing business in this State, that shall fail to furnish to him, as hereinafter provided, a certificate of the Insurance Commissioner of the State by whose authority the Company was organized, or of the State in which it may elect to have its policies valued and its deposit made, in case the Company is chartered by the government of the United States, giving the net value of all policies in force in the Company on the 31st day of December of the preceding year.

Sec. 35. Calculations of the net value of each policy shall be based upon the American Experience Table of Mortality, and four and one-half per cent. interest per annum; and the net value of a policy at any time shall be taken to be the net single premium which will at that time effect the Insurance, less the value at that

time of the future net premiums called for by the Table of Mortality and rate of interest designated above.

SEC. 36. It is hereby made the duty of the Insurance Commissioner, after having determined as above the amount of the net value of all the policies in force, to see that the company has that amount in safe, legal securities, of the ——— after all its other debts and claims against it, exclusive of capital stock, have been provided for. He shall accept the valuations made by the Insurance Commissioner of the State under whose authority a Life Insurance Company was organized, when such valuations have been properly made on sound and recognized principals and legal basis as above: *Provided*, the Company shall furnish to the Insurance Commissioner of this State a certificate from the Insurance Commissioner of such State setting forth the value, calculated on the data designated above, of all the policies in force in the Company on the previous 31st day of December, and stating that, after all the other debts of the Company and claims against it at that time were provided for, the Company had in safe securities, of the character specified in this act, an amount equal to the net value of all its policies in force, and that said Company is entitled to do business in its own State.

SEC. 37. Every life insurance company doing business in this State during the year for which the statement is made, that fails promptly to furnish the certificate aforesaid, shall be required to make full detailed lists of policies and securities to the Insurance Commissioner of this State, and shall be liable for all charges and expenses consequent upon not having furnished said certificate, and whenever it may be made necessary, by the provisions of this act for the Insurance Commissioner to calculate the existing values of all outstanding policies the expenses thereof shall be paid by the company whose policies are so valued: *Provided, however*, That the cost thereof shall not exceed two cents on every one thousand dollars of insurance.

SEC. 38. In case it is found that any life insurance company doing business in this State has not on hand the net value of all its policies in force after all other debts of the company and claims against it, exclusive of capital stock, have been provided for, it shall be the duty of the Insurance Commissioner to publish the fact that the then existing condition of the affairs of the company

is below the standard of legal safety established by this State, and he shall immediately notify each and every agent of such company revoking all such licenses issued.

Sec. 39. It shall be the duty of the Insurance Commissioner, after he has notified a life insurance company organized under authority of this State, to cease doing new business until the net value of its policies in force is equal to that called for by the standard of safety established by the State, at once to cause a rigid examination in regard to all the affairs of such company. In case it shall appear that there is no fraud or gross incompetency or recklessness shown to exist in the management, he may, upon publishing the facts in the case, permit such company to continue in charge of its business for one year: *Provided*, There is in his opinion reason to believe that the company may eventually be able to re-establish the legal net value of all its policies in force. At the end of the year named above, he may renew the permission, in case, on examination, he is satisfied that the company is likely to retrieve its affairs, and in case the Insurance Commissioner does not permit the company to continue in the control of its old business. It is hereby made his duty to institute the necessary proceedings for the protection of its policy holders, in accordance with the laws of this State.

Sec. 40. For every company doing fire insurance business in this State, the Commissioner shall calculate the reinsurance reserve for unexpired fire risks by taking forty per cent. of the premiums on all unexpired risks that have less than one year to run, and a *pro rata* of all premiums received on risks that have more than one year to run: *Provided*, that when the reinsurance reserve calculated as above is less than forty per cent. of all the premiums received during the year the reinsurance reserve in this case shall be the whole of the premiums received on all of its unexpired risks. In marine and inland insurance he shall charge all the premiums received on unexpired risks as a reinsurance reserve.

Sec. 41. Having charged against a company the reinsurance reserve, as above determined, for fire, inland, and marine insurance and adding thereto all other debts and claims against the company, he shall, in case he finds the capital stock of the company impaired to the extent of twenty per cent., give notice to the company to

make good its whole capital stock within sixty days; and if this is not done, he shall require the company to cease to do new business within the State, and shall thereupon, in case the company is organized under authority of this State, immediately institute legal proceedings, as required in this act, to determine what further shall be done in the case; and if such company be not organized under the laws of this State, he shall immediately give notice to each and every agent that may have been licensed to do business in this State, revoking such license or authority.

Sec. 42. Any company organized under the laws of this State, receiving the aforesaid notice of the Commissioner to make good its whole capital stock within sixty days, shall forthwith call upon its stockholders for such amounts as will make its capital equal to the amount fixed by the charter of said company; and in case any stockholder of said company shall neglect or refuse to pay the amount so called for, after notice personally given, or by advertisement, in such time and manner as the said Commissioner shall approve, it shall be lawful for the said company to require the return of the original certificate of stock held by such stockholder, and in lieu thereof to issue new certificates for such number of shares as the said stockholder may be entitled to, in the proportion that the ascertained value of the funds of the said company may be found to bear to the original capital of the said company; the value of such shares, for which new certificates shall be issued, to be ascertained under the direction of the said Commissioner, and the company paying for the fractional parts of shares; and it shall be lawful for the directors of such company to create new stock and dispose of the same, and to issue new certificates therefor, to any amount sufficient to make up the original capital of the company.

Sec. 43. Whenever the capital stock of any joint-stock, fire or marine insurance company of this State becomes impaired, the Commissioner may, in his discretion, permit the said company to reduce its capital stock, and the par value of its shares in proportion to the extent of impairment: *Provided*, That, in fixing such reduced capital, no sum exceeding twenty-five thousand dollars shall be deducted from the assets and property on hand, which shall be retained as surplus assets: *Provided*, That no part of such assets and property shall be distributed to the stockholders: *And*

provided further, That the capital stock shall not be reduced to an amount less than that required by law for the organization of a new company.

SEC. 44. It shall be unlawful for any person, company or corporation in this State, either to procure, receive or forward applications for insurance in any company or companies not organized under the laws of this State, or in any manner to aid in the transaction of the business of insurance with any such company, unless duly authorized by such company and licensed by the Auditor of State, in conformity to the provisions of this act.

SEC. 45. The Auditor of State shall not issue any license to agents to transact business within the State, until he has received from the Commissioner of Insurance a certificate, duly signed and sealed, certifying that the company has in all respects complied with the laws of this State applicable to such company, together with a statement of the amount of such paid up capital, and the aggregate assets and liabilities of such company, and the Auditor of State shall indorse his license to agents upon such certificates, and the agents receiving the same shall file it in the office of the County Clerk of the county where such agent may reside or transact business. All such licenses shall be renewed annually in the month of January, and there shall be paid to the Auditor therefor a fee of two dollars each.

SEC. 46. Every person who shall transact any business as agent of any insurance company, without first procuring the license required by this act, or who knowingly procures payment or any obligation for the payment of any insurance premium, after revocation of his license, or violates any of the provisions of this act, shall be punished by a fine of not exceeding five hundred dollars, or imprisonment for not more than six months.

SEC. 47. There is hereby created a department of the State Auditor's office, to be known and designated, "The Insurance Department of the State of Indiana," which shall be charged with the enforcement of all the laws of this State relating to insurance, and the Auditor of State shall be ex-officio Insurance Commissioner of the State of Indiana.

SEC. 48. Before entering into the duties of his office as such

Insurance Commissioner, the Auditor of State shall execute a bond with sufficient sureties to be approved by the Governor, payable to the State of Indiana in the penal sum of fifty thousand dollars, conditioned for the faithful performance of his duties, which bond together with oath of office heretofore prescribed, shall be filed and preserved in the office of the Secretary of State, and in addition to his compensation as Auditor of State and the fees hereinbefore provided, he shall be allowed a salary of one thousand dollars per annum as such Commissioner.

Sec. 49. The Insurance Commissioner, and his deputy, and any one authorized by them to perform a special duty, shall be empowered to administer oaths in the discharge of their several duties.

Sec. 50. The Auditor of State shall as such Insurance Commissioner appoint a suitable person to act as his deputy, at a salary not to exceed two thousand dollars per annum, who shall possess all the powers and perform all the duties attached by law to the office of principal during a vacation in such office and during the absence or inability of the principal.

Sec. 51. The Insurance Commissioner shall keep and preserve in permanent form a full record of his proceedings, and a precise statement of the condition of each company or agency visited or examined, and shall annually report to the Governor the receipts and expenses of this department for the year, his official acts, the condition of companies doing business in this State, and such other information as will exhibit the affiairs of his department. At the request of any person, and on payment of the fee, to give certified copies of any record or papers in his office, when he deems it not prejudicial to public interests so to do, and to give such other certificates as this act provides for.

Sec. 52. The Insurance Commissioner shall examine, or cause to be examined, every detail of the business of any company transacting business of insurance in this State, whenever in his judgment such examination is required by the interests of the policy holders of such company, not oftener than once in each year, and for the purposes of examination authorized by law, has power, either in person, or by one or more examiners, by him commissioned in writing.

First. To require free access to all books and papers within this State, of any insurance company, or the agents thereof, doing business within this State.

Second. To summon and examine any person being within this State, under oath, which he or any examiner may administer, relative to the affairs and condition of any company.

Third. For probable cause, to visit at its principal office, wherever it may be, any insurance company doing business in this State, for the purpose of investigating its affairs and condition; and to revoke its certificate in this State, if it does not permit an examination.

Fourth. To revoke or modify any certificate of authority, when any condition prescribed by law for granting it no longer exists.

Fifth. The Insurance Commissioner has also power to institute suits and prosecutions either by the Attorney General, or such other attorney as the Commissioner may designate, for any violation of this act; and the Commissioner is a necessary party to any proceeding instituted for the purpose of closing up the affairs of any company, when the same shall not be in the name of the State.

Sec. 53. The Insurance Commissioner shall require of each and every Life Insurance Company doing business in this State, and not organized under the laws thereof, to report to him as often as once in each year, the number of all policies in force within the State, and the whole amount of reserve held by such company against the liabilities of such policies—to be estimated according to the standard adopted by this State for the valuation of life policies—and he shall require such companies to invest at least sixty per cent. of such reserve in the securities of mortgages on real estate within this State, subject to same conditions as are required for similar investments of companies incorporated under the laws of this State. Any company willfully neglecting or refusing to make such investment, shall be denied authority to do business within this State, and the Commissioner shall serve notice upon each and every agent in the State acting for such company, revoking their license as such agent.

Sec. 54. The Insurance Commissioner shall collect the following fees from every Insurance Company doing business within this State, and shall pay the same into the State Treasury to the

credit of the Insurance Fund, out of which the expenses of the Department are to be paid:

For filing declaration or certified copy of charter.....	$25 00
For annual statement.....	50 00
For every copy of any paper on file in the Department, per folio.....	20
For seal of office.....	1 00

SEC. 55. When by the laws of any other State, any taxes, fines, penalties, licenses, fees, deposits of money or securities, or other obligation or prohibition, are imposed upon Insurance Companies of this or other States, or their agents, greater than are required by the laws of this State, then the same obligations and prohibitions, of any kind, shall be imposed upon all Insurance Companies of such States and their Agents. All Insurance Companies of other nations under this section, shall be held as of the State where they have elected to make their deposits and establish their principal agency in the United States.

SEC. 56. WHEREAS, An emergency exists for the immediate taking effect of this act, it shall be in force on and after its passage; and all laws inconsistent therewith are hereby repealed.

Mr. Woodard moved to lay the amendments on the table.

The question being, shall the amendments be laid on the table?

Whereupon Messrs. Woodard and Kimball demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Broaddus, Claypool, Cowgill, Edwards (of Lawrence), Eward, Gifford, Glazebrook, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Jones, King, Lenfesty, Mellett, North, Ogden, Richardson, Rumsey, Thayer, Thompson (of Spencer), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Woodard and Mr. Speaker—29.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Clark, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Ellsworth, Furnas, Givan, Gregory, Hed-

rick, Heller, Henderson, Hollingsworth, Hoyer, Kimball, Kirkpatrick, Lent, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Tulley, Wesner, Whitworth, Willard, Wood and Woollen—53.

So the amendments were not laid on the table.

Mr. Walker moved to lay the bill, reports and amendments on the table.

Which motion did not prevail.

The question being, shall the amendments offered by Mr. Kimball to the majority report be adopted?

Whereupon Messrs. Willson, of Ripley, and Smith demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Ellsworth, Eward, Furnas, Givan, Gregory, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reeves, Reno, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Willard, Wood and Woollen—57.

Those who voted in the negative were, Messrs. Baxter, Clark, Claypool, Eaton, Edwards (of Lawrence), Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Jones, King, Kirkpatrick, Lenfesty, Mellett, North, Ogden, Prentiss, Richardson, Rumsey, Smith, Thayer, Thompson (of Spencer), Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard and Mr. Speaker—31.

So the majority report was so amended, and the report as amended was concurred in.

On motion of Mr. Walker, the bill and report were laid on the table and made a special order for to-morrow at 2 o'clock p. m.

On motion of Mr. King, the report of the Committee on Claims, in relation to the claim of I. Taylor, architect for the House of Refuge at Plainfield, was referred back to the Committee on Claims, for further consideration.

The Joint Committee on Enrolled Bills submitted the folliwing report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled Senate bill No. 94, entitled "An act concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities having therein incorporated Homes for Friendless Women," with the engrossed copy, and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 327, entitled "A bill to limit the time of bringing an action at law or equity upon a judgment obtained in any other State of the United States."

Engrossed Senate bill No. 176, entitled a bill supplemental to and repealing section thirteen of an act entitled "An act to establish public libraries," approved February 16, 1852, defining the powers of cities in relation thereto, providing for the collection of fines and forfeitures imposed by library associations and permitting other corporations to take stock in the same; and the same are herewith transmitted to the House of Representatives for its action thereon.

Also, I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof, enrolled act No. 94 of the Senate, entitled "A bill concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities having therein incorporated Homes for Friendless Women."

The Speaker annouced that he had signed enrolled Senate act No. 94.

The following message was received from the Senate by the Secretary thereof.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed enrolled act of the Senate No. 94, entitled "An act concerning the application of fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities having therein incorporated Homes for Friendless Women," and the same has been delivered to the Joint Committee on Enrolled Bills in compliance with the joint rules.

The Speaker laid before the House the annual report of the Trustees of the Wabash and Erie Canal.

Which, on motion, was laid on the table and five hundred copies ordered to be printed for the use of the members of the House.

Mr. North offered the following resolution:

WHEREAS, Charges have been made upon this floor that the majority report of the Committee on Insurance were induced to make their report upon House bill No. 350, by the corrupting influence of an insurance agent or agents, and,

WHEREAS, A certain member of this House, upon the floor, stated that the fact of such corruption can be established in any Court of justice, therefore,

Resolved, That a committee of five be appointed by the Speaker to investigate said charges, with full power to send for persons and papers, and report the same to this House at their earliest convenience.

Which resolution, on motion of Mr. Johnson, was laid on the table.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker :

Your Joint Committee on Enrolled Bills report that this 25th day of February, 1873, presented to the Governor enrolled Senate bill No. 94, entitled " An act concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities wherein are Houses for Friendless Women," for his signature and approval.

On motion of Mr. Blocher the House adjourned until to-morrow at 9½ o'clock.

This journal was read in the hearing of the Committee, and found to be correct.

W. K. EDWARDS, Speaker.

WEDNESDAY MORNING.

February 26, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. James Rudder, Representative from the county of Washington.

On motion of Mr. Glasgow, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Cauthorn, Senate bill No. 238 was taken up —a bill for an act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases.

Which bill was read a first time.

Mr. Cauthorn moved that the constitutional rule be suspended and the bill read a second time by its title.

Mr. Lenfesty moved to amend the motion of Mr. Cauthorn by referring said bill to a select committee of one from each Congressional district.

Mr. Gregory moved to lay the amendment proposed by Mr. Lenfesty on the table.

The question being, shall the amendment proposed by Mr. Lenfesty be laid on the table?

Messrs. Gregory and Lenfesty demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Branham, Buskirk, Butterworth, Cauthorn, Cobb, Coffman, Cole, Cowgill, Crumpacker, Eaton, Ellsworth, Givan, Glasgow, Gregory, Hatch, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Lent, McConnell, McKinney, Odle, Peed, Reno, Richardson, Satterwhite, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willson (of Ripley), Wolflin, Wood, Woollen and Wynn—50.

Those who voted in the negative were, Messrs. Anderson, Baker, Blocher, Broaddus, Clark, Claypool, Dial, Durham, Eward, Furnas, Gifford, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Jones, Kirkpatrick, Lenfesty, Martin, Mellett, Miller, North, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rumsey, Smith, Tingley, Wesner, Wilson (of Blackford) and Mr. Speaker—38.

So the amendment was laid on the table.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baker, Barker, Billingsley, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Crumpacker, Eaton, Ellsworth, Givan, Glasgow, Gregory, Hatch, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reno, Richardson, Riggs, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thomp-

son (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willson (of Ripley), Wolflin, Wood, Woollen and Wynn—60.

Those who voted in the negative were, Messrs. Anderson, Baxter, Blocher, Cowgill, Dial, Durham, Eward, Furnas, Gifford, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Jones, Lenfesty, Mellett, Offutt, Prentiss, Reeves, Rudder, Rumsey, Smith, Tingley, Wesner, Wilson (of Blackford) and Mr. Speaker —29.

So the constitutional rule was suspended, and the bill read a second time by its title.

On motion of Mr. Shirley, said bill was referred to the Select Committee on Re-districting the State for Judicial Purposes.

Mr. Hardesty presented a protest from the members of the Madison County Bar against the passage of the bill now pending to abolish the Common Pleas Court.

Which was referred to the Special Committee on Re-districting the State for Judicial Purposes.

Mr. Peed presented a protest from sundry citizens of Martin and Daviess counties protesting against the abolition of the Common Pleas Court.

Which was referred to the Special Committee on Re-districting the State for Judicial Purposes.

Mr. Ogden presented a protest from sundry citizens of Hendricks county against the abolishing of the Common Pleas Court.

Which was referred to the Special Committee on Re-districting the State for Judicial Purposes.

Mr. North, from the Committee on Engrossed Bills, submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared engrossed bills Nos. 224, 396, 436, 490, 498, with the original copies, and find them in all things correctly engrossed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 174—a bill defining certain misdemeanors, and prescribing punishment therefor.

Engrossed Senate bill No. 189—a bill to amend section 648 of the practice act, approved June 18, 1852.

Engrossed Senate bill No. 266—a bill to require surviving parties to file inventories and appraisements in the office of the Clerk of the Circuit Court, and to report the liabilities of such firms, and to execute bond for the assets of said, and making provisions for violations thereof.

Engrossed Senate bill No. 254—a bill to amend section 60 of an act entitled an act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto, approved March 14, 1867.

Engrossed Senate bill No. 310—a bill to provide for collecting agricultural, mineral and mechanical productions of Indiana and their display at the Vienna Exposition, for the appointment of a Commissioner and Assistant Commissioner, and provides for expenses connected therewith.

Engrossed Senate bill No. 185—a bill to regulate the granting of restraining orders and injunctions by clerks of the Circuit Courts and Circuit and Common Pleas Judges in certain cases.

Engrossed Senate bill No. 148—a bill to provide for the re-location of county seats, and repealing all laws contravening the provision of this act and declaring an emergency.

Engrossed Senate bill No. 61—a bill to protect society against setting at liberty persons who may have been acquitted of any

murder, manslaughter, robbery, arson, rape, larceny or other felony, upon the plea and defense of insanity.

Engrossed Senate bill, No. 117—a bill regulating the granting of divorces, nullification of marriages and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act and declaring an emergency."

Engrossed Senate bill No. 219—a bill to provide for the construction and maintenance of fish ladders, and providing penalties for the violation of the same.

Engrossed Senate bill No. 192—a bill to amend section five of an act entitled " An act to exempt property from sale in certain cases," approved February 17, 1852.

Engrossed Senate bill No. 202—a bill to amend section seven and nine of an act entitled " An act to provide for a general system of common schools, the officers thereof and their respective powers and duties, and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of Township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed," approved March 6, 1865, and the same is herewith transmitted to the House for its action thereon.

Mr. Wolflin was granted indefinite leave of absence.

Senate bill No. 153 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Coffman, Cole, Cowgill, Eward, Furnas, Gifford, Givan, Glazebrook, Gronendyke, Hardesty Hatch, Hedrick, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, Mellett, Miller, Odle, Ogden, Reeves, Riggs, Rumsey, Schmuck, Shirley, Thayer, Thompson (of Spencer), Thompson (of Elkhart), Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woollen, Wynn and Mr. Speaker—52.

Those who voted in the negative, were Messrs. Anderson, Baker, Barker, Blocher, Bowser, Buskirk, Cauthorn, Claypool Crumpacker, Dial, Durham, Eaton, Ellsworth, Glasgow, Goudie, Gregory, Heller, Henderson, Isenhauer, Lenfesty, Martin, McKinney, North, Offutt, Peed, Pfrimmer, Reno, Richardson, Rudder, Scott, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Troutman and Tulley—38.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball presented petitions from sundry citizens of Vanderburg county, asking for the passage of House bill No. 71.

Mr. Walker, Chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 115, have examined the same and direct me to report the said bill back to the House with the following amendments: Strike out all from the word "which," in the eighth line, of section one, to the word "and," in the tenth line thereof, and including said words "which" and "and;" and inserting in said section after the word "transportation," in the eleventh line the following words: "at any station or other place where such company is accustomed to receive freight."

Amend section 2 by striking out the proviso in said section.

Amend section 7 by adding at the close the following words: "and in case of a charge demanded or received contrary to the provisions of this section, the whole amount so demanded or received may be recovered against such company."

Amend by adding the following section:

Sec. 9. In all suits brought under the provisions of this act in case of recovery, the judgment shall include reasonable attorneys fees for plaintiffs' counsel.

Amend section 8 by adding at the close the following words: "and in case of a charge demanded or received contrary to the provisions of this section; the whole so demanded or received may be recovered against the company."

Amend by adding the following section:

SEC. 10. In all actions, arising under the provisions of this act, against any railroad company, it shall be sufficient to bring such action against such railroad as defendant, whether the same is or was being run by the company or by a lessee, assignee, receiver or other person in the name of such company, and the summons shall be served by the proper officer on the railroad company, defendant, at least ten days before the first day of the term of the court, at which such cause is to be heard; and in case, such action is commenced before a justice of the peace, then such summons shall be served on such railroad company, defendant, at least ten days before the time set down for trial of the same, and such summons may be served by copy on any conductor on any train on said railroad passing into or through such county.

Amend by adding the following section:

SEC. 11. Whenever any one, shipper or company engaged in buying and shipping any and all kinds of live stock, meals, grain, seed, vegetables, fruits, implements, machinery, lumber, sawlogs, cordwood, coal, coke, stone, ores, clay, metals, baled hay, baled straw, spirits, goods, wares and merchandise manufactured or to be manufactured, or other personal property, and shall have a sufficient quantity to load a car or cars to send to one consignor, and shall notify any such railroad company of his or their desire, to ship such articles or things by their railroad, and of the time and public station where and when he or they may desire to load the same, it shall be the duty of such company to furnish suitable car or cars at such designated public station, and to each shipper or company in the order of their notices and application as soon thereafter as it reasonably can be done, and to furnish each applicant in the order of their notices, such convenient opportunities and facilities for loading and unloading cars as reasonably as can be afforded. Any railroad company violating any of the provisions of this section of this act, shall be liable to the person or company thereby for the actual damage sustained for such time as such railroad company

may fail or refuse to furnish such car or cars to such person or company, as in this section of this act provided to be recovered in any court of competent jurisdiction.

And amend by adding the following section:

SEC. 12. That nothing in this act shall be construed as in any way to effect or prejudice any right of action or prosecution of any nature which the State may have against any corporation or railroad company.

And further amend by numbering the section declaring an emergency as section 13, and when said amendments are adopted your committee recommend the passage of said bill.

Which bill and report were made a special order for to-morrow at 2 o'clock p. m.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 158, have examined the same and direct me to report the same back to the House, with the recommendation that it lie on the table.

Which bill and report were made a special order for to-morrow at 2 o'clock p. m.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 6, have examined the same and direct me to report the same back to the House, with the recommendation that it lie on the table.

Which report and bill were made a special order for to-morrow at 2 o'clock p. m.

Mr. Hardesty, Chairman of the Select Committee on Public

Printing, submitted the following majority report and introducing a bill on the subject:

MR. SPEAKER:

The Select Committee on Public Printing having taken into consideration various plans proposed for executing the Public Printing and Binding, a majority of the committee beg leave to report a bill on the subject and recommend its passage.

JOHN O. HARDESTY,
A. C. MELLETT,
J. W. EWARD.

House bill No. 526—being a bill introduced by Mr. Hardesty, chairman of the Select Committee on Public Printing, and by direction of a majority of said committee—a bill for an act to provide for the Public Printing and Binding.

Which bill was read a first time.

Mr. Shirley, from the same committee, submitted the following minority report and introducing a bill on the same subject:

MR. SPEAKER:

The undersigned minority of the Select Committee, to whom was referred the subject of the Public Printing, beg leave to submit the following bill upon the subject, and recommend its passage:

T. W. WOOLLEN,
W. S. SHIRLEY.

House bill No. 527—being a bill introduced by Mr. Shirley, from the Select Committee on Public Printing, and by direction of a minority of said committee—a bill in relation to the Public Printing, Binding and Lithographing of the State.

Which bill was read a first time.

On motion of Mr. Eward, the reports and bills were laid on the table, 200 copies of each ordered to be printed for the use of the members of the House, and made a special order for Friday next at 2 o'clock p. m.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 143—a bill to restrain all persons from hiring or employing persons under the age of twenty-one years, to make or vend by the wholesale or retail, any spirituous or intoxicating liquors, and prescribing penalties therefor, and declaring an emergency.

Engrossed Senate bill No. 222—a bill making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act.

Engrossed Senate bill No. 35—a bill to amend section 29 of an act entitled "An act to repeal all laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Engrossed Senate bill No. 156—a bill to authorize cities constructing water works to issue bonds, and to dispose of the same, in aid of the construction of such water works.

And the same are herewith transmitted to the House of Representatives for its action thereon.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee of Ways and Means, to whom was referred Senate bill No. 170, having had the same under consideration, herewith return the bill with the recommendation that it pass.

Which report was concurred in, and the bill read a second time.

Senate bill No. 4 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Wynn and Mr. Speaker—77.

Those who voted in the negative were, Messrs. Baxter, Furnas, Hardesty, Kirkpatrick, Tingley and Troutman—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Givan offered the following amendment:

I move to strike out the word "bill" and insert the word "act" after the word "an."

Which amendment was adopted, and the title as amended was approved.

Mr. Cauthorn presented the claim of P. Shannon, Agent of State, for office rent, clerk hire, stationery, etc., from February 10, 1871, to February 10, 1873—$5,000.

Which was referred to the Committee on Claims.

Senate bill No. 32 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Wynn and Mr. Speaker—79.

Mr. Glasgow voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Hatch offered the following resolution:

Resolved, That this House hold evening sessions, commencing at half past seven o'clock p. m., until otherwise ordered.

Which, by rule of the House, was passed over for one day.

Senate bill No. 99 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Crumpacker, Dial, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goudie, Gregory, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satter-

white, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wolflin, Wood, Woollen, Wynn and Mr. Speaker—79.

Messrs. Baker and Durham voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Miller offered the following amendment:

Amend the title of Senate bill No. 99 by adding thereto the following words: "And regulating the rate of interest on judgments rendered thereon."

Which amendment was adopted, and the title as amended was then approved.

Mr. Glazebrook offered the following resolution:

WHEREAS, during the sickness of the Principal Doorkeeper, and the absence from duty of the Postmaster of this House, it is absolutely necessary that two men be employed in their places; therefore,

Resolved, That Mr. Busby, the Assistant Doorkeeper, be authorized to employ two additional men to supply the places of the absent parties aforesaid; and that an allowance in their favor be placed in the specific appropriation bill to pay them for the number of days they may serve.

Which resolution was adopted.

Mr. King introduced House bill No. 528—an act concerning the employment of short hand reporters, regulating their duties, and providing that the original manuscript report of evidence may be used on appeal in certain cases.

Which bill was read a first time, and referred to the Committee on the Judiciary.

Mr. Johnson introduced House bill No. 529—an act supplemental to an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the Courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice, without distinction between law and equity," approved June 18, 1852.

Which bill was read a first time.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor, I have the honor to transmit herewith a copy of the report of the Board of State officers, appointed in an act of the General Assembly, providing for the enlargement of the State House grounds, which was this day communicated by him to the Senate.

SAMUEL R. DOWNEY,
Private Secretary.

Indianapolis, Indiana.

To the Speaker of the House of Representatives:

Sir:—The undersigned officers of the State Government, appointed for that purpose, in an act of the General Assembly to provide for the enlargement of the State House Grounds, have contracted with Messrs. Wm. P. and Edward P. Gallup, as joint owners, for the purchase of a parcel of ground within the boundaries described in said act, being sixty-five feet in width fronting on Tennessee street, and extending back from said street to an alley on the west.

After several days negotiation, during which several propositions were made on either side involving questions as to the value of the building, the right of removal, the length of occupancy, the time of payment, etc., etc., the agreement reached was as follows:

To allow the owners at the rate of three hundred dollars per front foot, being the gross sum of $19,500, the State to have a fee simple title and an immediate possession free from incumbrances

of renters or otherwise; the contract to be completed, the deed delivered and the money paid on the approval of the contract by the General Assembly.

If the agreement thus made is approved, we respectfully submit that it will be proper to give authority for the renting, or sale and removal of all buildings on the premises, the enclosure of the block proposed to be taken into the State House square, and for making such other preparations for its occupancy and use by the State as may seem to be necessary.

All of which is respectfully submitted.

THOMAS A. HENDRICKS, Governor.
J. C. DENNY, Attorney General.
JAS. A. WILDMAN, Auditor of State.
W. W. CURRY, Secretary of State.

On motion of Mr. Glasgow, the following resolution, which had been laid over one day under the rule, was taken up.

Resolved, That no member shall speak more than five minutes at one time, without the leave of this House.

Which resolution was adopted.

Mr. Glazebrook presented a remonstrance from the members of the Laporte County Bar, protesting against the abolishing of the Common Pleas Court.

Which was referred to the Select Committee on Re-districting the State for Judicial Purposes.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Cauthorn, from the Committee on Temperance, submitted the following report:

Mr. Speaker:

The Committee on Temperance, to whom was re-committed House bill No. 312, with special instructions to amend the same as directed, have had the bill under consideration, and in accordance with the instructions have amended the same by striking from the first section of the bill, in lines 5 and 6, the following words, to-wit: "Use any intoxicating liquor as a beverage," and in lieu thereof insert the following words, to-wit: "Become intoxicated by the use of intoxicating liquor." And to strike from said section on page 2, lines 5 and 6, the following words, to-wit: "Used intoxicating liquors as a beverage;" and in lieu thereof insert the following, to-wit: "Become intoxicated by the use of intoxicating liquor." And by striking out section 3. And when so amended the committee recommend the passage of the bill.

Which report was concurred in and the amendments adopted.

Whereupon Mr. Baxter moved to lay the bill on the table.

The question being, shall the bill be laid on the table?

Messrs. Hollingsworth and Miller demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Bowser, Broaddus, Cobb, Dial, Durham, Eward, Givan, Johnson, McConnell, McKinney, Odle, Riggs, Tingley, Thompson (of Elkhart), Walker, Wesner, Willson (of Ripley), and Wood—21.

Those who voted in the negative were, Messrs. Baker, Barker, Billingsley, Blocher, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Coffman, Cole, Cowgill, Crumpacker, Ellsworth, Furnas, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, Mellett, Miller, North, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thompson (of Spencer), Troutman, Tulley, Whitworth, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—64.

So the bill was not laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Lent, Martin, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—70.

Those who voted in the negative were, Messrs. Anderson, Blocher, Cobb, Givan, Henderson, McConnell, McKinney, Peed, Reno, Schmuck, Smith, Tingley, Thompson (of Elkhart), Whitworth, and Willson (of Ripley)—14.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Hollingsworth offered the following amendment:

Amend the title by the following: "An act to provide against intoxication on the part of public officers, and to provide for the removal from office thereof."

Which amendment was adopted.

The question being, shall the title as amended stand as the title of the bill?

It was so ordered.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor, I have the honor to inform the House that His Excellency has approved and signed Enrolled act No. 56, entitled " An act authorizing the appropriation of money

out of the State Treasury for the use of the Indiana University located at Bloomington, Monroe county."

Also, Enrolled act No. 118, entitled "An act making the parties competent witnesses as to certain matters in actions by executors, or administrators, upon contracts assigned to the decedent."

Also, Enrolled act No. 137, entitled "An act to amend section 103 of an act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State,'" approved June 17, 1852.

Also, Enrolled act No. 188, entitled "An act to amend section 433 of an act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in civil cases in the courts of this State, to abolish distinct forms of action at law, and to provide for the administration of justice in a uniform mode of pleading and practice without distinction between law and equity,'" approved June 18, 1852.

Also, Enrolled act No. 200, entitled "An act to authorize and empower Boards of County Commissioners to equalize local county bounty to soldiers, to issue bonds or orders therefor, to levy and collect taxes for the redemption of such bonds or orders, declaring how such taxes may be collected, when such bonds or orders shall be issued, the time when they shall be paid, the rate of interest thereon, and legalizing such as have been issued, and declaring an emergency."

And that the same has been deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

The special order, being the consideration of House bill No. 71 and the objections of the Governor thereto, the same was taken up.

The question being, "Will the House on reconsideration agree to pass the bill, the objections of the Governor to the contrary notwithstanding?"

No one voting in the affirmative.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Broad-

dus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—88.

So the House, on reconsideration, did not agree to pass the bill.

The special order being the consideration of House bill No. 350, the same was taken up.

Mr. Willson, of Ripley, offered the following amendment:

Amend by striking out "Insurance Commissioner." and "Commissioner," where it occurs, and insert "Auditor of State."

Which amendment was adopted.

Mr. Willson, of Ripley, offered the following amendment:

Amend by striking out section 7.

The question being, shall the amendment be adopted?

Messrs. Willson, of Ripley, and Miller demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Eaton, Ellsworth, Furnas, Gifford, Glasgow, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Martin, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Scott, Shutt, Smith, Stanley, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Baker, Cauthorn, Coffman, Dial, Durham, Givan, Glazebrook, Gronendyke, Hoyer, Kimball, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reno, Rudder, Satterwhite, Schmuck, Shirley, Strange, Teeter, Tingley, Wood, Woollen and Wynn—26.

So the amendment was adopted.

Mr. Willson, of Ripley, offered the following amendment:

Amend section 22, in first line, by inserting after the word "members" the words "and stockholders."

Which amendment was adopted.

Mr. Willson, of Ripley, offered the following amendment:

Amend section 30 by inserting after the word "losses" the following, viz., "expenses and dividends."

The question being, shall the amendment be adopted?

Messrs. Wesner and Willson, of Ripley, demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Broaddus, Clark, Claypool, Cole, Cowgill, Crumpacker, Eaton, Eward, Gifford, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Johnson, Jones, King, Lenfesty, Mellett, Miller, North, Odle, Ogden, Prentiss, Rumsey, Smith, Stanley, Thayer, Thompson (of Spencer), Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wynn and Mr. Speaker—50.

Those who voted in the negative were, Messrs. Baker, Barker, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Cobb, Coffman, Dial, Durham, Ellsworth, Furnas, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Kirkpatrick, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reno, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Strange, Teeter, Tingley, Thompson (of Elkhart), Tulley, Troutman, Whitworth, Wood, Woodard and Woollen—40.

So the amendment was not adopted.

Mr. Willson, of Ripley, offered the following amendment:

Amend section 45 by striking out the word "annually," in line nine, and inserting "semi-annually;" also insert after the word "January" the words "and July."

Mr. Cauthorn moved to lay the amendment on the table.

The question being, shall the amendment be laid on the table?

Messrs. Willson, of Ripley, and Richardson demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barker, Blocher, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Cobb, Coffman, Durham, Ellsworth, Givan, Gregory, Hoyer, Isenhauer, Johnson, Kimball, King, Martin, McConnell, McKinney, Peed, Pfrimmer, Reno, Rudder, Schmuck, Shirley, Shutt, Strange, Tulley, Thayer, Tingley, Teeter, Whitworth and Woollen—36.

Those who voted in the negative were, Messrs. Anderson, Baxter, Billingsley, Broaddus, Clark, Claypool, Cole, Cowgill, Crumpacker, Dial, Eaton, Eward, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Henderson, Hollingsworth, Jones, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Offutt, Prentiss, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Stanley, Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—49.

So the amendment was not laid on the table.

The question being, shall the amendment be adopted?

Messrs. Willson, of Ripley, and Woodard demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Crumpacker, Clark, Cole, Eaton, Eward, Furnas, Gifford, Glazebrook, Goudie, Hardesty, Hedrick, Hollingsworth, Jones, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Riggs, Rumsey, Satterwhite, Scott, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—38.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Cowgill, Dial, Durham, Ellsworth, Givan, Glasgow, Gregory, Gronendyke, Heller, Henderson, Hoyer, Isenhauer, Kimball, King, Lent, McConnell, McKinney, Martin, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth and Woodard—49.

So the amendment was not adopted.

Mr. Willson, of Ripley, offered the following amendment:

Strike out section forty-seven.

Mr. Kimball offered the following amendment to the amendment:

Amend by striking out the words "ex officio Insurance Commissioner of the State of Indiana."

Mr. Gregory moved to lay the amendment offered by Mr. Willson, of Ripley, on the table.

The question being, shall the amendments offered by Mr. Willson, of Ripley, be laid on the table?

Whereupon Messrs. Willson, of Ripley, and Gregory demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Dial, Durham, Eaton, Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Mellett, Miller, Offutt, Peed, Pfrimmer, Reno, Rudder, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Woodard and Woollen—45.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Broaddus, Cole, Crumpacker, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, North, Odle, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Thompson (of

Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—43.

So the amendment was laid on the table.

The amendment to the amendment, offered by Mr. Kimball, was then adopted.

Mr. Willson, of Ripley, moved that the House adjourn.

The question being, shall the House adjourn?

The ayes and noes were demanded by ten members.

Those who voted in the affirmative were, Messrs. Blocher, Broaddus, Gifford, Glasgow, Goudie, Hardesty, King Lenfesty, Mellett, Miller, North, Odle, Ogden, Peed, Richardson, Rumsey, Satterwhite, Scott, Smith, Troutman, Walker, Wesner, Willson (of Ripley), Wood and Woodard—25.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole Crumpacker, Dial, Durham, Ellsworth, Eward, Furnas, Givan, Glazebrook, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, Martin, McConnell, McKinney, Offutt, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Whitworth, Wilson (of Blackford), Woollen, Wynn and Mr. Speaker—60.

So the House did not adjourn.

Mr. Willson, of Ripley offered the following amendment:

Amend by striking out section 53.

Mr. Kimball offered the following amendment to the amendment:

Amend section 53 by adding the following proviso: "*Provided*, Those companies organized in States where laws now prohibit investments in other States, ninety days after the close of the session of this Legislature, next after the passage of this act, in which to

comply with the requirements of said section, if passed in present shape, it may compel some companies to violate the laws of their own State or abandon business in this State."

Mr. Rumsey moved to lay the amendment to the amendment on the table.

The question being, shall the amendment to the amendment be laid on the table?

Whereupon Messrs. Gregory and Kimball demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Crumpacker, Dial, Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Mellett, North, Odle, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Scott, Smith, Stanley, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—46.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Bowser, Brett, Butterworth, Cauthorn, Clark, Cobb, Coffman, Durham, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Miller, Offutt, Peed, Pfrimmer, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Strange, Teeter, Tingley, Troutman, Tulley, Whitworth, Wood and Woollen—37.

So the amendment to the amendment was laid on the table.

Mr. Hatch moved that the House adjourn.

The question being, shall the House adjourn?

Ten members demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Clark, Cole, Crumpacker, Glasgow, Glazebrook, Goudie, Gronendyke, Hatch, Henderson, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Rumsey, Scott,

Smith, Strange, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Woodard and Wynn—41.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Butterworth, Cauthorn, Cobb, Coffman, Dial, Durham, Ellsworth, Eward, Furnas, Gifford, Gregory, Hedrick, Heller, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Pfrimmer, Prentiss, Reno, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Stanley, Teeter, Thayer, Tingley, Troutman, Wood, Woollen, and Mr. Speaker—44.

So the House did not adjourn.

Mr. Gregory asked that the rules of the House be suspended to enable him to introduce a resolution.

The question being, shall the rules be suspended?

Whereupon Messrs. Gregory and Smith demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cobb, Coffman, Cole, Durham, Ellsworth, Glazebrook, Gronendyke, Hardesty, Hatch, Heller, Henderson, Hoyer, Kimball, King, Martin, McConnell, McKinney, Mellett, Odle, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson, (of Spencer), Troutman, Tulley, Walker, Whitworth, Willson (of Ripley), Woodard, Woollen, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Crumpacker, Dial, Eward, Goudie, Hedrick, Jones, Kirkpatrick, Lenfesty, Miller, North, Ogden, Riggs, Scott, Thompson (of Elkhart), Wesner, Wilson (of Blackford) and Wood—23.

So the rules were suspended, and Mr. Gregory introduced the following resolution:

Whereas, The present session of this General Assembly is

drawing rapidly to a close, and that there yet remains but eight working days of the present session; and

WHEREAS, There is a very large amount of business, important to the citizens of Indiana yet undisposed of; therefore

Resolved, That this House hold nightly sessions during the unexpired term yet remaining, commencing at 7:30 o'clock p. m. of each day.

Which resolution was laid over for one day under the rule of the House.

Mr. Spellman was granted an indefinite leave of absence.

On motion of Mr. Walker, the House adjourned until tomorrow at 9:30 o'clock a. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

THURSDAY MORNING.

FEBRUARY 27, 1873, 9½ O'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Hon. N. H. Clark, Representative from the county of Hamilton.

The journal of yesterday was read in part, when, on motion of Mr. Baker, the further reading of the same was dispensed with.

On motion of Mr. Branham, Senate bill No. 254 was taken up—a bill to amend section sixty of an act entitled, "An act to repeal all general laws now in force, for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Mr. Branham offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring, There be appointed a committee of seven, four from the House and three from the Senate, who shall prepare a bill, providing for the plan and estimates of the cost of a new State House, the same to be submitted to the next General Assembly of this State, for their approval or rejection.

Which concurrent resolution was adopted.

Mr. Jones presented a petition from sundry citizens of Madison county, asking that capital punishment be abolished.

Which was referred to the Committee on the Judiciary.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring, That the State Librarian be directed when purchasing books for the State Library, under the direction of the proper authorities, to procure a full set of the English and American Herd Books for the use of said Library; provided, the said books can be bought for the sum of $250 or less, in which the concurrence of the House is respectfully requested.

The consideration of House bill No. 350 pending, which the House on yesterday adjourned, was resumed.

The question being on the adoption of the amendment, offered by Mr. Willson, of Ripley, to strike out section 53.

The question being, shall the amendment be adopted.

Messrs. Willson, of Ripley, and Mellett demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hollingsworth, Jones, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Richardson, Rumsey, Scott, Smith, Stanley, Thompson (of Elkhart), Walker Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—46.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Bowser, Brett, Cauthorn, Claypool, Coffman, Dial, Durham, Eaton, Ellsworth, Givan, Gregory, Hedrick, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Shirley, Shutt, Strange, Teeter, Thayer, Tingley, Troutman, Tulley, Wood and Woollen—39.

So the amendment was adopted.

Mr. Willson, of Ripley, offered the following amendment:

Amend section 54 by striking out the following words: "and shall pay the same into the State Treasury to the credit of the insurance fund."

Which amendment was not adopted.

Mr. Willson, of Ripley, offered the following amendment: Strike out section 55.

Which amendment was not adopted.

Mr. Willson, of Ripley, offered the following amendments: Strike out section 48; strike out section 50; strike out section 56.

Which amendments by consent of the House were withdrawn.

Mr. Willson, of Ripley, offered the following amendment: Amend by striking out the enacting clause.

Amend by striking out section 25.

Strike out sections 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42, and insert the following:

"Every life insurance company incorporated in this State, or doing business in this State, shall, on or before the first day of March in each year, transmit to the auditor and file in his office a statement of the business standing and affairs in the form prescribed or authorized by law, and adapted to the business done by such company, signed and sworn to by the president or vice president and secretary, and made out for the year ending on the preceding 31st day of December."

Sec. 6. The form for life insurance companies shall be as follows:

First. Name of company.

Second. When chartered.

Third. For what period.

Fourth. Where located.

Fifth. State in full the assets of the company.

Sixth. The number of shares owned in any bank; state par value, cost, and market value per share.

Seventh. The number of shares owned in any railroad, stating the corporate name of each, and money invested in each at cost on its books; state the par value and market value of each share.

Eighth. Amount owned in railroad bonds; state par value, cost and market value per share.

Ninth. The amount invested in real estate, at cost, on the books of the company.

Tenth. Amount loaned on mortgages of real estate, and estimated value of said real estate.

Eleventh. Amount loaned on notes secured by collateral of personal property.

Twelfth. Amount loaned on notes without collaterals.

Thirteenth. State in full all other investments.

Fourteenth. How much included in the foregoing statement of assets, consisting of premium notes on policies not returned as now in force.

Sixteenth. Number and amount of each class or kind of policies which have, within the year, ceased to be in force; how terminated; what has been paid to the legal holders of the policies.

Seventeenth. Amount of losses ascertained and unpaid.

Eighteenth. Amount of loss claimed against the company, whether acknowledged as due or not by the company.

Nineteenth. Amount due from the company on its declared, promised or acknowledged indebtedness, or other claims, including dividends, bonuses, on distribution of surplus or as profits.

Twentieth. Amount received for premiums the past year.

Twenty-first. Amount received for premiums in cash.

Twenty-second. Amount received for interest the past year.

Twenty-third. Amount paid for interest the past year.

Twenty-fourth. Amount of guarantee funds, and state particularly whether the same are in cash or subscription notes.

Twenty-fifth. How are dividends, distribution of surplus funds, bonuses, or estimated profits, paid? Whether in cash, scrip, or otherwise on credit, and whether payable at a specific time or indefinitely, at the discretion of the company.

Twenty-sixth. Amount paid for expenses, taxes and commissions the past year.

Sec. 7. All life insurance companies, chartered or organized in any other State of the United States, or beyond the limits of the United States, and doing business in this State, shall make an annual statement of their condition and affairs to the Auditor of State, in the same manner and in the same form as similar companies organized under the laws of this State. The Auditor shall have the authority to extend the time for filing such statement, for reasons which he shall deem good and sufficient, whether the company is organized in this State or elsewhere. The statement herein provided for shall be in lieu of any and all statements now required by any existing law.

Sec. 8. Life insurance companies, chartered beyond the limits of the United States, and doing business in this State, shall make a return of their standing on the 31st day of December in each year, agreeable to the form required by this act of other companies doing a similar business in this State; said returns to be made to the Auditor on or before the first day of April annually, and verified and sworn to before some consul or vice-consul of the United States, by two or more principal officers of such insurance company.

Sec. 9. Any company doing business in this State, neglecting to make returns in the manner and within the time hereinbefore authorized and prescribed, shall forfeit one hundred dollars for

each days neglect, any new business done by any company or its agents in this State, after neglect to make the prescribed reports, shall be deemed to be done in violation of law.

Sec. 10. When the actual funds of any insurance companies doing business in this State are not of a net value equal to the net value of its policies, according to the American experience rate of mortality, with interest at four and one-half per cent. per annum, it shall be the duty of the Auditor to give notice to such company and its agents, to discontinue issuing new policies within this State, until such time as its funds have become equal to its liabilities valuing its policies as aforesaid; no officer or agent after such notice has been given, shall issue or deliver new policies from and on behalf of such company before its funds have become equal to its liabilities as aforesaid.

Sec. 12. When any life insurance company, organized under laws of this State, shall transact business in any other State, it may invest its surplus funds in such State in like security and under the same restrictions as in this State.

Sec. 13. The Auditor is hereby authorized and empowered, to address any inquiries to any life insurance company or to the secretary thereof, in relation to its doings or conditions on any other matter connected with its transactions, and it shall be the duty of any such company so addressed, to reply promptly in writing to such inquiries, and all such companies not incorporated under the laws of this State, and their certificates of authority may be revoked and cancelled. It shall be the duty of the Auditor to make or cause to be made an examination of the condition and affairs of any life insurance company doing business in this State, whenever he shall deem it expedient to do so; and also, whenever he shall have good reason to suspect the correctness of any annual statement or that the affairs of any company making such statements are in an unsound condition.

Sec. 14. Life insurance companies doing business in this State which do business on the principle of mutual insurance or the members of which are entitled to share in the surplus funds thereof, may make distribution of such surplus as they may have accumulated annually or once in two, three, four or five years, as the directors thereof may from time to time determine. In determining the amount of the surplus to be distributed, there

shall be reserved an amount not less than the aggregate net value of all the outstanding policies, said value to be computed by the American experience rate of mortality, with interest not exceeding four and one-half per centum.

SEC. 21. It shall be the duty of the president or vice-president and secretary of each company organized under this act, except life companies, or incorporated under any law of this State, annually on the first day of January of each year, or within one month thereafter, to prepare under their own oath, and deposit in the office of the Auditor of State, a statement of the condition of such company on the thirty-first day of December then next preceding, exhibiting the following facts and items in the following form, namely:

First. The amount of capital stock of the company actually paid in.

Second. The property or assets held by the company, specifying—

1st. The value or as nearly as may be of the real estate held by such company.

2d. The amount of cash on hand and deposited in banks to the credit of the company, specifying in what banks the same are deposited.

3d. The amount of cash in the hands of agents and in course of transmission.

4th. The amount of loans secured by mortgages and bonds constituting the first lien on real estate, on which there shall be less than one year's interest due or owing.

5th. The amount of loans on which interest shall not have been paid within one year previous to such statement.

6th. The amount due the company, on which judgments have been obtained.

7th. The amount of stock of this State, of the United States, of any incorporated city of this State, and of any other stocks owned by the company, specifying the amount, number of shares and par and market value of each kind of stock.

8th. The amount of stocks held thereby as collateral security for loans, with the amount loaned on each kind of stock, its par value and its market value.

9th. The amount of assessment on stock or premium notes (paid and unpaid), specifying each.

10th. The amount of interest actually due and unpaid.

11th. The amount of premium notes on hand on which policies are issued.

12th. The amount of installment notes on hand on which policies are issued.

Third. The inabilities of such company, specified—

1st. The amount of losses due and yet unpaid.

2d. The amount of claims for losses resisted by the company.

3d. The amount of losses incurred during the year, including those claimed and not yet due, and including the probable amount of those reported to the company, upon which no action has been taken.

4th. The amount of dividends declared and due and remaining unpaid.

5th. The amount of dividends, if any, declared but not yet due.

6th. The amount of money borrowed and security, if any, given for the payment thereof.

7th. All other existing claims against the company, and also the gross amount of outstanding risks and the gross amount of premiums therein earned.

Fourth. The income of the company during the preceding year, specifying—

1st. The amount of cash premiums received.

2d. The amount of notes received for premiums.

3d. The amount of interest money received.

4th. The amount of incomes received from other sources.

Fifth. The expenditures during the preceding year, specifying—

1st. The amount of losses paid during the year, stating how much of the same accrued prior, and how much subsequent to the date of the preceding statement, and the amount at which losses were estimated in such preceding statement.

2d. The amount of dividends paid during the year.

3d. The amount of expenses paid during the year, including commissions and fees to agents of the company.

4th. The amount paid in taxes, specifying the amount paid in this State.

5th. The amount of all other payments and expenditures.

It shall be the duty of the auditor to establish a classification of risks into any number of classes not less than four, according to the degree of hazard of such risk; and the auditor shall require said companies, as a part of the aforementioned statement, to give the number of policies in force conveying property embraced in each of said classes, and the aggregate amount at risk upon property in each class. The auditor of public accounts is thereby authorized and empowered to address any inquiries to any insurance company, or the secretary thereof, in relation to its doings or conditions, or any other matter connected with its transactions; and it shall be the duty of the company so addressed to promptly reply, in writing, to any such inquiries, the statement of any company, the capital of which it is composed, in whole or in part of notes, shall, in addition to the foregoing, exhibit the amount of notes originally forming the capital, and also what proportion of said notes is still held by such company and considered capital. The statements herein provided for shall be in lieu of any and all statements now required by any existing law.

Every insurance company, organized under any law of this State, failing to make and deposit such statement, or to reply to any inquiry of the said auditor, shall be subject to the penalty of five hundred dollars for every month that such company shall continue thereafter to transact any business of insurance.

It shall be the duty of the auditor of public accounts, to cause to be prepared and furnished to each of the companies and to the attorney's of companies incorporated by other States and foreign governments, printed forms of the statements required by this act, and he may from time to time make such change in the form of such statement as shall seem to him best adapted, to elicit from the companies a true exhibit of their condition in respect to the several points hereinbefore mentioned.

It shall be the duty of the auditor of public accounts, to cause the information contained in the statement required by this section to be arranged in a tabular form and printed in his biennial report.

Every person acting for a life insurance company not incorporated in this State, shall exhibit in conspicious letters on the sign, designating his place of business, the name of the State, under whose authority the company he represents, has been incorporated; and said company and agent shall also have printed in large type the name of said State upon all policies issued to citizens of this

State, and all playcards, pamphlets and circulars published, issued or circulated in this State by them or him, relating to the business of said company. Whoever solicits insurance on behalf of any life insurance company, not chartered by and not established within this State, or transmit for any person other than himself an application for life insurance or a policy for life insurance to or from such company, or advertises that he will receive or transmit the same, shall be held to be an agent of such company to all in tents and purposes, and subject to all the duties, requisitions, liabilities and penalties set forth in the laws of this State, relating life insurance companies not incorporated by the Legislature thereof.

Amend by striking out section twenty-six.

Mr. Gregory moved that the amendment be indefinitely postponed.

Mr. Willson, of Ripley, demanded a division of the question.

Whereupon the Speaker announced that the question would be put seperately on each amendment proposed.

Messrs. Willson, of Ripley, and Riggs demanded the ayes and noes.

The question being, shall the 13th amendment proposed by Mr. Willson, of Ripley, be indefinitely postponed ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Dial, Durham, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Wood and Woollen—45.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Broaddus, Clark, Cole, Cowgill, Crumpacker, Eward, Gifford, Glasgow, Goudie, Glazebrook, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Trout-

man, Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—45.

So the amendment was not indefinitely postponed.

The question being, shall the 14th amendment be indefinitely postponed?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffmam, Dial, Durham, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Willard, Wood and Woollen—45.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Broaddus, Clark, Cole, Cowgill, Crumpacker, Eaton, Eward, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—48.

So the amendment was not indefinitely postponed.

The question being, shall the 15th amendment, proposed by Mr. Willson, of Ripley, be indefinitely postponed?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Dial, Durham, Edwards (of Lawrence), Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reno, Riggs, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Willard, Wood and Woollen, —43.

Those who voted in the negative were, Messrs. Billingsley Broaddus, Clark, Cole, Cowgill, Crumpacker, Eaton, Furnas,

Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Richardson, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—44.

So the amendment was not indefinitely postponed.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor, I have the honor to inform the House that his Excellency has approved and signed enrolled act of the House No. 327—an act to regulate the sale of intoxicating liquors; to provide against evils resulting from any sale thereof; to furnish remedies for damages suffered by any person in consequence of such sale, prescribing penalties; to repeal all laws contravening the provisions of this act, and declaring an emergency, and that he has caused the same to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

The question being, shall the 16th amendment, proposed by Mr. Willson, of Ripley, be indefinitely postponed?

Pending the consideration of which, on motion of Mr. Brett, the the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The consideration of House bill No. 350 pending, the consideration of which the House adjourned this a. m., was resumed.

The question being, shall the 16th amendment proposed by Mr. Willson, of Ripley, be indefinitely postponed?

Those who voted in the affirmative were, Messrs. Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cobb, Coffman, Dial, Edwards (of Lawrence), Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Miller, Offutt, Pfrimmer, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Troutman, Tulley, Willard, Wood and Woollen—42.

Those who voted in the negative were, Messrs. Baxter, Broaddus, Clark, Cobb, Cowgill, Crumpacker, Eaton, Eward, Furnas, Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, Kirkpatrick, Lenfesty, Lent, Mellett, North, Odle, Ogden, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—45.

So the amendment was not indefinitely postponed.

Mr. Cauthorn moved a call of the House.

Which motion prevailed.

The members answering to their names were, Messrs. Baker, Barker, Baxter, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Shutt, Scott, Shirley, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—88.

Mr. Mellett moved that further proceedings under the call be dispensed with.

Mr. Cauthorn moved to lay the motion on the table.

The question being, shall the motion be laid on the table?

Messrs. Cauthorn and Baker demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barker, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Miller, Offutt, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Wesner, Whitworth, Willard, Woodard and Woollen—50.

Those who voted in the negative were, Messrs. Baxter, Clark, Cole, Eaton, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Hatch, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, North, Odle, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—38.

So the motion was laid on the table.

Mr. Miller moved that the House now adjourn.

The question being, shall the House adjourn?

Ten members demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Givan, Gronendyke, Henderson, Hoyer, Isenhauer, Miller, Reno, Richardson and Shutt—9.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Smith, Stanley, Strange, Teeter, Thayer, Tingley,

Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—79.

So the House did not adjourn.

On motion of Mr. Willson, of Ripley, further proceedings under the call were dispensed with.

Mr. Willson, of Ripley, moved the previous question.

Which motion prevailed.

The question being, shall the 13th amendment, proposed by Mr. Willson, of Ripley, be adopted?

Whereupon Messrs. Shirley and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Broaddus, Clark, Cole, Cowgill, Eaton, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart) Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—44.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Givan, Gronendyke, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Troutman, Tulley, Whitworth, Willard, Wood and Woolen—47.

So the amendment was not adopted.

The question being, shall the 14th amendment, proposed by Mr Willson, of Ripley, be adopted?

Whereupon Messrs. Willson, of Ripley, and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Broaddus, Clark, Cowgill, Eaton, Eward, Furnas, Gifford, Glazebrook,

Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Ogden, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—37.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cobb, Coffman, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Givan, Glasgow, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Willard, Wood and Woollen—49.

So the amendment was not adopted.

The question being, shall the 15th amendment proposed by Mr. Willson, of Ripley, be adopted?

Messrs. Gifford and Willson, of Ripley, demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Broaddus, Butts, Clark, Cole, Cowgill, Crumpacker, Eaton, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, North, Odle, Ogden, Richardson, Riggs, Rumsey, Scott, Smith, Thayer, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—42.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Dial, Durham, Edwards (of Lawrence), Ellsworth, Givan, Gregory, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Satterwhite, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Willard, Wood and Woollen—48.

So the amendment was not adopted.

Mr. Mellett moved to recommit said bill and amendments to the Committee on Insurance, with instructions to report a bill in lieu thereof.

The question being, shall said bill and amendments be recommitted to the Committee on Insurance, with instructions to report a bill in lieu thereof?

Messrs. Gifford and Willson, of Ripley, demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Butts, Clark, Cole, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Richardson, Riggs, Rumsey, Satterwhite, Scott, Smith, Thayer, Thompson (of Elkhart), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—48.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Claypool, Cline, Cobb, Coffman, Dial, Durham, Ellsworth, Givan, Gregory, Heller, Henderson, Hoyer, Isenhauer, Kimball, Martin, McConnell, McKinney, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Rudder, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Tulley, Whitworth, Willard, Wood and Woollen—45.

So the bill and amendments were recommitted to the Committee on Insurance with said instructions.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 224, entitled "A bill for the relief of Nicholas Morback, Joseph E. Lange, and Francis Joseph Wetzler."

And the same is herewith transmitted to the House of Representatives for its action thereon.

The Speaker laid before the House a communication from the Secretary of State transmitting a response of the Chicago Law Institute to the concurrent resolution of the General Assembly, confirming a donation of books made by the Governor and Judges of the Supreme Court.

Which was referred to the Committee on Ways and Means.

SPECIAL ORDER.

The special order being the consideration of Senate bills Nos. 115 and 6, and House bill No. 158.

Senate bill No. 115, report and amendments were taken up.

The question being, shall the report of the committee be concurred in, and the amendments adopted?

Mr. Anderson demanded a division of the question on the adoption of the amendments proposed by the Committee on the Judiciary.

The Speaker announced that the question was on the adoption of the first amendment proposed by the committee.

Thereupon Mr. Branham moved that the first amendment proposed by the Committee on Railroads be substituted for the first amendment proposed by the Committee on the Judiciary.

Mr. Offutt moved to lay the motion on the table.

The question being shall the motion of Mr. Branham be laid on the table?

Messrs. Offutt and Branham demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Buskirk, Butterworth, Cauthorn, Claypool, Cobb, Coffman, Crumpacker, Durham, Eaton, Eward, Furnas, Givan, Goudie, Gregory,

Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Prentiss, Reno, Richardson, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Tingley, Troutman, Tulley, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood and Woodard—50.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Blocher, Bowser, Branham, Broaddus, Butts, Clark, Cole, Cowgill, Dial, Edwards (of Lawrence), Ellsworth, Gifford, Glasgow, Glazebrook, Gronendyke, Isenhauer, Jones, Kimball, King, Lent, Martin, Peed, Pfrimmer, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Thompson (of Elkhart), Wesner, Whitworth, Woollen, Wynn and Mr. Speaker—37.

So the motion was laid on the table.

The first amendment proposed by the Committee on the Judiciary was then adopted.

The question being, shall the second amendment proposed by the Committee on the Judiciary be adopted?

Whereupon Mr. Branham moved that the second amendment proposed by the Committee on Railroads be substituted for the second amendment proposed by the Committee on the Judiciary.

Mr. Offutt moved to lay the motion on the table.

The question being, shall the motion of Mr. Branham be laid on the table?

Whereupon Messrs. Gifford and Branham demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Buskirk, Cauthorn, Clark, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Ellsworth, Eward, Givan, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Kirkpatrick, Lenfesty, Miller, Offutt, Ogden, Prentiss, Reno, Richardson, Rumsey, Scott, Shirley, Stanley, Strange, Teeter, Thayer, Troutman, Tulley, Walker, Willard, Willson (of Ripley), Wood, Woodard and Wynn—45.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Bowser, Branham, Broaddus, Butterworth, Butts, Cole, Dial, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Glazebrook, Gronendyke, Isenhauer, Johnson, Jones, Kimball, King, Martin, McConnell, McKinney, North, Peed, Pfrimmer, Reeves, Riggs, Rudder, Satterwhite, Shutt, Thompson (of Elkhart), Wesner, Whitworth, Wilson (of Blackford), Woollen and Mr. Speaker—40.

So the motion was laid on the table.

Mr. Buskirk moved to lay Senate bill No. 115 and report on the table, and take up Senate bill No. 6.

The question being, shall Senate bill No. 115 and report be laid on the table, and Senate bill No. 6 taken up?

Whereupon Messrs. Buskirk and Woodard demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Buskirk, Cauthorn, Crumpacker, Durham, Eaton, Ellsworth, Hatch, Hedrick, Heller, Hoyer, McConnell, McKinney, Offutt, Reno, Richardson, Teeter, Willard and Mr. Speaker—19.

Those who voted in the negative were, Messrs. Anderson, Barker, Baxter, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cobb, Cole, Cowgill, Dial, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, Mellett, Miller, North, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—67.

So the motion did not prevail.

On motion the report was concurred in and the amendments adopted and the amendments considered as engrossed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

A concurrent resolution concerning certain stationery purchased by the Librarian for the use of the General Assembly.

WHEREAS, It is represented that prior to the special session of this General Assembly the State Librarian purchased of Braden & Burford certain stationery and blanks for the use of the General Assembly; and

WHEREAS, It is further represented that a large portion of such stationery has been actually used by the General Assembly; and

WHEREAS, It is further represented that the Auditor has refused to allow the claim of said Braden & Burford, because of want of authority for said purchase; and

WHEREAS, It is just and right this General Assembly should make suitable provision for its own actual expenses; therefore,

Resolved by the Senate, the House concurring, That the Joint Committee on the Public Library be authorized and required to investigate the alleged facts above recited; also, to ascertain the quantity, kinds and prices of said stationery, the amount used and unused, and to report the facts, and to recommend what action, if any, should be taken by this General Assembly in the premises.

In which the concurrence of the House of Representatives is respectfully requested.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9½ o'clock a. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

FEBRUARY 28, 1873, 9:30 o'CLOCK.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. James Rudder, Representative from the county of Washington.

The reading of the journal of yesterday was on motion of Mr. Cobb dispensed with.

On motion of Mr. Rudder, Senate bill No. 50 was taken up and read a second time.

Mr. Rudder moved that the constitutional rule be suspended' the bill read a third time and put on its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Isenhauer, Johnson, Jones, Kimball, King, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—81.

Mr. Kirkpatrick voted in the negative.

So the constitutional rule was suspended, and the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were. Messrs. Anderson, Barker, Baxter, Billingsley, Branham, Buskirk, Butterworth,

Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—80.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball presented the claims of John Mallony, and W. W. Collins and J. C. Burnett.

Which was referred to the Committee on Claims.

Mr. King presented the claim of Wm. E. Redman.

Which was reported to the Committee on Claims.

Mr. Branham, from the Committee on Benevolent Institutions, submitted the following report:

Mr. Speaker:

The Committee on Benevolent Institutions, to whom was referred House bill No. 508—having had the same under consideration, herewith return the bill, recommending the following amendments, viz.:

That section 1 be amended to read, "that said hospital shall be located north of the parallel of Indianapolis."

That section 5 be changed, that the word "donation" be stricken out, and that in lieu of "three hundred and twenty acres"

it shall read, that "the land so purchased, shall contain not less than eighty nor more than one hundred and sixty acres."

That section 7 be amended, that "all salaries, fees and other bills shall be subject to the approval of the board of control and the officers of State named in the 5th section."

That section 8 be amended to read, that "all expenditures of said institutions shall be under the direction and control of the Board of Commissioners, and the Governor, Auditor and Treasurer of State."

That section 11 be amended to read, that "the sum of fifty thousand dollars be appropriated for the year ending Oct. 31, 1873, and the further sum of three hundred and fifty thousand dollars for the year ending 31st October, 1874. *Provided, however*, That these appropriations shall not be drawn out of the Treasury, less in the opinion of the Governor, Auditor and Treasurer of State, it can be drawn without creating a deficiency."

That section 13 be amended to read, that "the yearly allowance to the commissioners shall be the same and is now allowed the commissioners of the Indiana hospital for the insane."

With the amendments the committee recommend its passage.

Which report was concurred in, the amendments adopted, the bill as amended, read a second time and ordered to be engrossed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in the following resolution:

Resolved by the House of Representatives, the Senate concurring, That there be appointed a committee of seven, four from the House and three from the Senate, who shall prepare a bill, providing for a place and estimates of the cost of a new State House, to be submitted to the next General Assembly of this State for their approval or rejection, with the following amendments:

Strike out all after the words "State House," and insert the

following: "which bill shall be submitted to this General Assembly of the State of Indiana, at this session."

Also I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 417, entitled "A bill governing costs in the Superior Courts of this State."

And the same is herewith returned to the House of Representatives.

Mr. Ogden offered the following resolution:

WHEREAS, William T. Lockhart, the Doorkeeper of this House, is lying dangerously sick with small-pox at one of the hospitals in this city; therefore,

Resolved, That the Assistant Doorkeeper be authorized to employ a careful and competent nurse to supply him with all the necessaries, and attend to his wants during his illness.

Which resolution was adopted.

Mr. Woollen, chairman of the select committee, to whom was referred Senate bill No. 238, submitted the following report:

MR. SPEAKER:

The Select Committee, to whom was referred Senate bill No. 238, entitled "An act to divide the State into circuits for judicial purposes," have had the same under consideration, and recommend the following amendments, viz:

Amend section 9 to read as follows:

SEC. 9. The counties of Fayette, Rush and Decatur shall constitute the eighth circuit.

Amend section 19 as follows, viz:

SEC. 19. The counties of Henry and Hancock shall constitute the eighteenth circuit.

Amend section 25 as follows, viz:

SEC. 25. The counties of Hamilton and Madison shall constitute the twenty-fourth circuit.

Amend section 26 as follows, viz:

SEC. 26. The counties of Delaware and Randolph shall constitute the twenty-fifth circuit.

Amend section 27 as follows, viz:

SEC. 27. The counties of Wells, Adams and Jay shall constitute the twenty-sixth circuit.

Amend section 28 as follows, viz:

SEC. 28. The counties of Wabash and Miami shall constitute the twenty-seventh circuit.

Amend section 29 as follows, viz:

SEC. 29. The counties of Huntington, Grant and Blackford shall constitute the twenty-eighth circuit.

Amend section 37 as follows:

SEC. 37. The counties of Tipton and Howard shall constitute the thirty-sixth circuit.

Amend section 38 as follows, viz:

SEC. 38. The counties of Franklin and Union shall constitute the thirty-seventh circuit.

Amend section 39 as follows, viz:

SEC. 39. The counties of Allen and Whitley shall constitute the thirty-eighth circuit.

Amend section 47 as follows, viz:

SEC. 47. The terms of said court in the eighth circuit shall be held in the county of Decatur, on the first Monday in February, the fourth Monday in April, the first Monday in September and the third Monday in November of each year; in the county of Rush, on the Monday succeeding the courts in the county of Decatur; and in the county of Fayette, on the Monday succeeding

the courts in the county of Rush. The courts in the county of Decatur shall continue four weeks; in the county of Rush four weeks, and in the county of Fayette three weeks, at each term, if the business thereof requires it.

Amend section 57 as follows, viz.:

SEC. 57. The terms of said courts in the eighteenth circuit shall be held in the county of Henry, on the first Monday in February, the fourth Monday in September, and the third Monday in November of each year, and in the county of Hancock on the Monday succeeding the courts in the county of Henry. The courts in the county of Henry shall continue six weeks, and in the county of Hancock four weeks of each term, if the business thereof requires it.

Amend section 63 as follows, viz.:

SEC. 63. The terms of said courts in the twenty-fourth circuit shall be held in the county of Hamilton, on the first Monday in February, the fourth Monday in April, the first Monday in September, and the third Monday in November of each year; and in the county of Madison on the Mondays succeeding the courts in the county of Hamilton, shall continue five weeks, and in the county of Madison five weeks at each term, if the business thereof requires it.

Amend section 64 as follows, viz.:

SEC. 64. The terms of said courts in the twenty-fifth circuit, shall be held in the county of Delaware, on the first Monday in February, and the fourth Monday in April, the first Monday in September, and the third Monday in November of each year; and in the county of Randolph, on the Monday's succeeding the courts in the county of Delaware. The courts in the county of Delaware shall continue five weeks, and in the county of Randolph five weeks at each term, if the business thereof requires it.

Amend section 65 as follows, viz.:

SEC. 65. Terms of said courts in the twenty-sixth circuit shall be held in the county of Wells, on the first Monday in February, the fourth Monday in April, the first Monday in September, and

the third Monday in November of each year; in the county of Adams, on the Monday's succeeding the courts in the county of Wells; and in the county of Jay on the Monday's succeeding the courts in the county of Wells. The courts in the counties of Wells and Adams shall continue three weeks, and in the county of Jay four weeks at each term, if the business thereof requires it.

Amend section 66 as follows, to-wit:

Sec. 66. The terms of said courts in the twenty-seventh circuit shall be held in the county of Wabash, on the first Monday in February, the fourth Monday in April, the first Monday in September and the third Monday in November of each year; and in the county of Miami, on the Monday's succeeding the courts in the county of Wabash. The courts in the counties of Wabash and Miami shall continue five weeks at each term, if the business thereof requires it.

Amend section 67 as follows, viz.:

Sec. 67. The terms of said courts in the twenty-eight circuit shall be held in the county of Grant, on the first Monday in February, the fourth Monday in April, the first Monday in September, and the third Monday in November of each year; in the county of Blackford, on the Monday's succeeding the courts in the county of Grant; and in the county of Huntington, on the Monday's succeeding the courts in the county of Blackford. The courts in the county of Grant shall continue four weeks; in the county of Blackford two weeks, and in the county of Huntington four weeks at each term, if the business thereof requires it.

Amend section 75 as follows, viz:

Sec. 75. The terms of said courts in the thirty-sixth circuit shall be held in the county of Tipton, on the first Monday in February, the first Monday in April, the first Monday in September, and the third Monday in November of each year; and in the county of Howard, on each Monday succeeding the courts in the county of Tipton. The courts in the county of Tipton shall continue four weeks; in the county of Howard five weeks, at each term, if the business thereof requires it.

Amend section 76 as follows, viz:

SEC. 76. The terms of said courts in the thirty-seventh circuit shall be held in the county of Franklin, on the first Monday in February, the fourth Monday in April, the first Monday in September, and the third Monday in November of each year; and in the county of Union, on the Mondays succeeding the courts in the county of Franklin. The courts in the county of Franklin shall continue six weeks; and in the county of Union three weeks, at each term, if the business thereof requires it.

Amend section 77 as follows, viz:

SEC. 77. The terms of said court in the thirty-eighth circuit shall be held in the county of Allen, on the first Monday in February, the fourth Monday in April, the first Monday in September, and the third Monday in November of each year; and in the county of Whitley, on the Mondays succeeding the courts in the county of Allen. The courts in the county of Allen shall continue seven weeks; and in the county of Whitley three weeks, at each term, if the business thereof requires it.

Amend section 80 by inserting after the word "court," in the last line, the words, "*Provided*, That the judges of the Common Pleas Courts having causes that have been tried by them under advisement, shall render decisions and complete the record therein, at the first term of the Circuit Court held in pursuance of this act, to which such causes have been transferred."

Amend by inserting the following section:

SEC. 87. The several Judges and Clerks of the Circuit Courts, to which records and business of the Common Pleas Courts shall be transferred by this act, shall have power to certify all transcripts and records necessary to be authenticated upon the record and files of the said Court of Common Pleas.

And when so amended, the committee recommend that the bill do pass.

Which report was concurred in and the amendments adopted.

Mr. Ogden offered the following amendments:

Amend section 14 by striking out "Hendricks."

Amend section 20 by inserting the words, "and Hendricks," after the word "Marion."

Amend section 56 so that the same shall read as follows: The terms of said court in the nineteenth circuit shall be held in the county of Hendricks, on the first Monday in February, the fourth Monday in April, the first Monday in September, and the third Monday in November of each year, and shall continue four weeks, if the business thereof requires it. Said court shall be held in the county of Marion, on the Mondays succeeding the courts in the county of Hendricks, and shall continue so long as the business thereof requires.

Which amendments were adopted.

Mr. Ellsworth presented a remonstrance from the attorneys of Orange county, against the passage of Senate bill No. 238.

Mr. Walker was called to the chair.

Mr. Edwards, of Vigo, offered the following amendment:

Amend section 14 by striking out the words, "and Sullivan."

The question being, shall the amendment be adopted?

Whereupon Mr. Gregory moved to lay the amendment on the table.

The question being, shall the amendment be laid on the table.

Messrs. Jones and Gregory demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Baxter, Branham, Broaddus, Buskirk, Butterworth, Cauthorn, Claypool, Cline, Coffman, Crumpacker, Durham, Eaton, Eward, Givan, Glasgow, Glazebrook, Gregory, Hoyer, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Peed, Pfrimmer, Prentiss, Reno, Richardson, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Tulley, Whitworth, Willson (of Ripley), Wood, Woodard and Woollen—49.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Blocher, Bowser, Clark, Cobb, Cole, Cowgill, Dial, Ed-

wards (of Lawrence), Ellsworth, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Jones, Kimball, Lent, Miller, North, Odle, Reeves, Riggs, Rudder, Rumsey, Strange, Troutman, Walker, Wesner, Wilson (of Blackford), Wynn and Mr. Speaker—39.

So the amendment was laid on the table.

Mr. Gronendyke offered the following amendments:

Amend section 22 by striking out "Warren" and inserting "Parke."

Amend section 31 by striking out "Pulaski" and inserting "Warren."

Amend section 32 by inserting "Pulaski."

Amend section 58 as follows: The terms of said Court in the 21st Circuit shall be held as follows, to-wit:

In the County of Parke, on the first Monday in February, the fourth Monday in April, the first Monday in September and the third Monday in November, in each year; in the county of Vermillion on the Mondays succeeding the Courts in the county of Parke; and in the county of Fountain on the Mondays succeeding the Courts in the county of Vermillion.

The Courts in the county of Parke shall continue four weeks, in the county of Fountain, three weeks, and in the county of Vermillion, two weeks of each term if the business thereof requires it.

Amend section 57, as follows:

Sec. 57. The terms of said court, in the 30th circuit, shall be held in the county of Benton on the first Monday in February, the fourth Monday in April, the first Monday in September and the third Monday in November of each year. In the county of Jasper on the Mondays succeeding the Courts in the county of Benton. In the county of Newton on the Mondays succeeding the Courts in the county of Jasper, and in the county of Warren on the Mondays succeeding the Courts in the county of Newton.

The Courts in the county of Benton shall continue two weeks; in the county of Jasper two weeks; in the county of Newton two weeks; in the county or Warren, three weeks at each term if the business thereof requires it.

Amend section 68 as follows:

SEC. 68. The terms of said court, in the 31st circuit, shall be held in the county of Lake on the first Monday in February, the fourth Monday in September and third Monday in November of each year; in the county of Porter on the Mondays succeeding the Courts in the county of Lake; in the county of Starke on the Mondays succeeding the Courts in the county of Porter, and in the county of Pulaski on the Mondays succeeding the Courts in the county of Starke. The Courts in the county of Lake shall continue three weeks; in the county of Porter, three weeks; in the county of Starke, one week; in the county of Pulaski two weeks at each term, if the business thereof requires it.

On motion of Mr. Claypool the amendments were laid on the table.

Mr. Woollen moved that the constitutional rule be suspended, the amendments considered engrossed, the bill read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Barker, Baxter, Billingsley, Branham, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Eward, Givan, Glasgow, Glazebrook, Gregory, Hatch, Hoyer, Isenhauer, Johnson, King, Lenfesty, Lent, McConnell, McKinney, Mellet, North, Odle, Peed, Reeves, Reno, Richardson, Riggs Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Thompson (of Elkhart), Troutman, Tulley, Walker, Whitworth, Willson (of Ripley), Wood, Woollen and Wynn—57.

Those who voted in the negative, were Messrs. Anderson, Blocher, Bowser, Broaddus, Clark, Cole, Dial, Eaton, Furnas Gifford,

Goudie, Gronendyke, Hardes y, Heller, Henderson, Hollingsworth, Jones, Kimball, Kirkpatrick, Martin, Miller, Ogden, Pfrimmer, Rumsey, Strange, Tingley, Wesner, Wilson (of Blackford), Woodard and Mr. Speaker—30.

So the constitutional rule was suspended, the amendments considered as engrossed, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Barker, Baxter, Blocher, Branham, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Edwards (of Lawrence), Gifford, Givan, Glasgow, Gregory, Hatch, Hedrick, Hoyer, Kirpatrick, Lent, McConnell, McKinney, Mellett, North, Odle, Peed. Pfrimmer, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Thayer, Thompson (of Elkhart), Troutman, Tulley, Walker, Whitworth, Willard, Willson (of Ripley), Wood, Woodard, Woollen and Wynn—51.

Those who voted in the negative, were Messrs. Anderson, Billingsley, Bowser, Broaddus, Coffman, Cole, Cowgill, Dial, Durham, Eaton, Ellsworth, Eward, Furnas, Glazebrook, Goudie, Gronendyke, Hardesty, Heller, Henderson, Hollingsworth, Isenhauer, Johnson Jones, Kimball, Lenfesty, Martin, Miller, Ogden, Prentiss, Reno, Rumsey, Smith, Stanley, Strange, Teeter, Tingley, Wesner, Wilson (of Blackford), and Mr. Speaker—39.

So the bill passed.

The question being, shall the title as read, stand as the title of the bill?

It was so ordered.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report and introducing a bill:

Mr. Speaker:

The Committee on Ways and Means have directed me to report the following bill, to raise revenue for State purposes for the years 1873 and 1874:

House bill No. 530 being a bill introduced by Mr. Kimball, chairman of the Committee on Ways and Means, and by direction of said committee—an act to raise revenue for State purposes for the years 1873 and 1874.

Which was read a first time.

On motion of Mr. Branham, said bill was made a special order for to-morrow at 10 o'clock a. m.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 67, making an appropriation to pay the claims of sufferers by the Morgan raid, having had the same under consideration, have directed me to report it back with the following amendments, and when so amended recommend its passage:

Sec. 1. *Be it enacted by the General Assembly of the State of Indiana*, That the sum of four hundred and thirteen thousand five hundred and ninety-nine dollars and forty-eight cents be and the same is hereby appropriated to pay the claims of sufferers by the Morgan raid, as adjusted and allowed by the board of commissioners consisting of John I. Morrison of Marion county, John McRae of Monroe county, and Smith Vawter of Jennings county appointed by the Governor, to hear and adjust said claims in pursuance of a concurrent resolution of the forty-fifth General Assembly of said State said appropriation to be paid the claimants in three annual payments.

Sec. 2. It shall be the duty of the Auditor of State to issue his warrant upon the Treasurer of State for one third the amount of the claim of each of said claimants, as stated in the report of said board of commissioners, to be equitably and justly, and in each case payable on the first day of July 1874, and one third payable on the first day of July 1875, and the remaining third on the first day of July 1876. *Provided*, That no interest shall accrue or be paid on said warrants.

Sec. 3. That none of the claims and amounts, the payment of which are provided herein, shall be assignable, and the Auditor of State shall issue no warrants to any assignee or other person than the identical person who lost the property for which the claim was allowed, or his or their heirs; and before the auditor shall issue any warrant to any person, the person in whose favor the claim was allowed shall make and file with said auditor this affidavit, the same to be sworn to before any clerk of the circuit court of this State, stating that he has not assigned, sold, or in any manner parted with interest in such claim; that he is still the owner of the same, and has never received any compensation, in money or otherwise, from the government or any individual for said claim, or any part thereof; that he has never received anything, or promises of anything, conditional or dependent upon the settlement of the claim, either by the general government or by the State.

Which report was concurred in, the amendments adopted, and the bill as amended read a second time.

Mr. Lenfesty moved that the bill be indefinitely postponed.

Mr. Billingsley moved to lay the motion on the table.

The question being, shall the motion to indefinitely postpone be laid upon the table?

Messrs. Lenfesty and Billingsley demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Billingsley, Blocher, Branham, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Givan, Goudie, Gregory, Gronendyke, Hatch, Hoyer, Kimball, McConnell, McKinney, Miller, North, Odle, Peed, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Strange, Thayer, Tingley, Whitworth, Willard, Willson (of Ripley), Woodard, Woollen and Wynn—45.

Those who voted in the negative were, Messrs. Anderson, Baker, Bowser, Broaddus, Butterworth, Butts, Clark, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Martin, Mellett, Ogden, Prentiss, Stanley, Teeter, Thompson (of Elkhart), Troutman, Tulley

Walker, Wesner, Wilson (of Blackford), Wood and Mr. Speaker —37.

So the motion was laid on the table.

The bill was then ordered to be engrossed for a third reading.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 278, entitled "A bill to amend section 53 of an act entitled 'An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, and prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,'" approved March 14, 1867, and declaring an emergency.

Engrossed Senate bill No. 264, entitled "A bill to amend sections 4, 5, 26, 35, 43 and 58 of an act entitled 'an act granting the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,'" approved January 27, 1847.

And the same are herewith transmitted to the House of Repretatives for its action thereon.

Mr. Kimball, chairman of the Committee on Ways and Means submitted the following report and introduced a bill:

Mr. Speaker:

The Committee of Ways and Means, having had the general appropriation bill under consideration, direct me to report the following:

House bill No. 531, being a bill introduced by Mr. Kimball, chairman of the Committee on Ways and Means, and by direction of said committee—an act making general appropriations for the years 1873 and 1874.

Which bill was read a first time and recommitted to the Committee on Ways and Means.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have examined enrolled Senate bill No. 4, entitled "An act to provide for the assessment and collection of taxes for municipal purposes, and the shares of stock owned in banks and banking associations doing business in this State," and found the same to be correctly enrolled.

Mr. Schmuck, from the Committee on Temperance, submitted the following report:

MR. SPEAKER:

Your Committee on Temperance, to whom was referred House bill No. 284, entitled "An act to amend section 22 of an act entitled 'an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof,'" have had the same under consideration, and have instructed me to report the same back to the House with the recommendation that it be referred to the Committee on Cities and Towns.

Which report was concurred in, and the bill referred to the Committee on Cities and Towns.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

On motion of Mr. Givan, Senate bill No. 24 was taken up—a bill for the relief of Nicholas Morback, Joseph E. Lange, and Francis Joseph Wetzler.

Which bill was read a first time.

Mr. Givan moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections, and put on its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Miller, North, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—75

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cobb, Cole, Cowgill, Crumpacker, Dial, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—75.

Those who voted in the negative were, Messrs. Cline, Coffman and McKinney—3.

So the bill passed.

The question being, shall the title of the bill stand as read?

It was so ordered.

On motion of Mr. Cauthorn, Senate bill No. 310 was taken up —a bill to provide for the collection of agricultural, mineral and mechanical productions of Indiana, and their display at the Vienna Exposition, for the appointment of a commissioner and assistant commissioner, and provide for expenses connected therewith.

Which bill was read a first time.

Mr. Cauthorn moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—85.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its pacsage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline Cobb, Coffman, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Claypool and Reno—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The concurrent resolution in relation to the appointment of a Joint Committee to report a plan for a new State House, and the following amendments thereto, on the part of the Senate, were taken up.

Strike out after the words "State House," and insert the following: "Which bill shall be submitted to this General Assembly of the State of Indiana at its present session."

Which amendments were concurred in.

Whereupon the Speaker announced the following named members as such committee on the part of the House: Messrs. Branham, Baxter, Brett and Glazebrook.

Mr. Wood presented the claim of James C. Denny, for legal services.

Which was referred to the Committee on Claims.

Mr. Johnson presented a communication from John G. Greenawalt, late Adjutant General and ex-officio State Military Claim Agent, in relation to the unfinished business pertaining to the collection of claims.

Which was referred to the Committee on Ways and Means.

SPECIAL ORDER.

The special order being the consideration of House bills Nos. 526 and 527, and the majority and minority reports thereon,

Mr. Walker moved to lay the minority report on House bill No. 527 on the table.

The question being shall the minority report and House bill No. 527 be laid on the table?

Messrs. Shirley and Mellett demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—52.

Those who voted in the negative were, Messrs. Anderson, Barker, Blocher, Bowser, Brett, Buskirk, Cauthorn, Claypool, Cline, Coffman, Dial, Durham, Ellsworth, Givan, Glasgow, Glazebrook, Gregory, Heller, Henderson, Isenhauer, McConnell, McKinney, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Shutt, Smith, Strange, Teeter, Tulley, Wesner, Whitworth, Willard and Woollen—37.

So the minority report on House bill No. 527, was laid on the table.

The majority report was then concurred in.

House bill No. 526 was then read a second time.

Mr. Cauthorn offered the following amendment:

Amend section three by adding thereto the following words, to-wit: "Which power of revocation shall be inserted in the contract."

Which amendment was adopted.

Mr. Eward offered the following amendment:

Moved to amend section two, at the end of line three, by adding the following: "and all persons authorized to have or receive any printing or binding at the expense of the State, shall make written requisitions therefor on the Board of Public Printing."

Also amend section six, in line five, after the word "rendered," by striking out the words "shall be," and inserting in lieu thereof the words "having been."

Which amendments were adopted.

Mr. Shirley offered the following amendment:

Amend by striking out the word "Governor," in the first section.

Mr. Cobb moved to lay the amendment on the table.

The question being, shall the amendment be laid on the table?

Messrs. Shirley and Woodard demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Crumpacker, Edwards, (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Mellett, Miller, North, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Satterwhite, Scott, Shutt, Stanley, Strange, Thayer, Tingley, Thompson (of

Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—66.

Those who voted in the negative, were Messrs. Barker, Blocher, Bowser, Buskirk, Claypool, Cline, Durham, Ellsworth, Heller, Isenhauer, McKinney, Reno, Richardson, Schmuck, Shirley, Smith, Teeter, Tulley, Whitworth and Woollen—20.

So the amendment was laid on the table.

Mr. Branham offered the following amendment:

In first line of section 5 after the word "shall," strike out the words "have power to."

Which amendment was adopted.

Mr. Walker moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Shirley, Shutt, Stanley, Strange, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Buskirk, Claypool, Ellsworth, Gregory, Isenhauer, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Teeter and Willard—12.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Satterwhite, Scott, Stanley, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—54.

Those who voted in the negative, were Messrs. Anderson, Barker, Blocher, Brett, Bowser, Buskirk, Claypool, Cline, Coffman, Dial, Durham, Eaton, Ellsworth, Heller, Henderson, Isenhauer, Martin, McConnell, McKinney, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Shutt, Smith, Strange, Teeter, Tulley, Whitworth, Willard and Mr. Woollen—33

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills thereof, to-wit:

Engrossed Senate bill No. 193—a bill supplemental to "An act authorizing the construction of plank, Macadamized and gravel roads," approved May 12, 1852.

Engrossed Senate bill No. 187—a bill to amend section one of an act entitled "An act to amend section one of an act entitled an act to amend section three of an act entitled and act for the regulation of weights and measures," approved June 9, 1852; approved February 28, 1855; approved March 7, 1863.

Engrossed Senate bill No. 204—a bill to amend the fifteenth section of an act, entitled "An act prescribing the manner of compelling officers to give new bonds and additional sureties," approved May 31, 1852.

Engrossed Senate bill No. 213—a bill to amend section 16 of an act entitled, "An act concerning real property and the alienation thereof," approved May 6, 1852.

Engrossed Senate bill No. 217—a bill to authorize satisfaction of mortgages in certain cases.

Engrossed Senate bill No. 218—a bill to encourage the destruction of foxes.

Engrossed Senate bill No. 188—a bill to enable and empower executors and administrators of the estates of deceased persons, to enforce partition of the real estate of such decedents in certain cases, and declaring an emergency.

Engrossed Senate bill No. 203—a bill to authorize the appointment of resident trustees, to receive and manage the trust fund held in other States and belonging to persons residing in the State.

Engrossed Senate bill No. 169—a bill authorizing the organization of voluntary associations, and prescribing their duties and powers.

Engrossed Senate bill No. 173—a bill to authorize school trustees of incorporated towns and cities, to sell certain school property within their limits and providing for the disposition of the proceeds.

Engrossed Senate bill No. 289—a bill to fix the salaries of the Judges of the Supreme Court of this State, and to provide for the time and manner of payment, and declaring an emergency for the immediate taking effect of this act.

Engrossed Senate bill No. 223—a bill to legalize certain acts of notaries public, and the recording of certain instruments; and the same is herewith submitted to the House of Representatives for its action thereon.

Also, I am directed by the Senate, to herewith transmit to the

House of Representatives for the signature of the Speaker thereof the following enrolled act, to-wit:

Enrolled act No. 4 Senate—an act to provide for the assessment and collection of taxes for municipal purposes on the shares of stock owned in bank and banking associations doing business in this State.

Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills report that they have carefully compared enrolled House bill No. 417 entitled, "An act governing cost in the Superior Courts of this State," and find the same is correctly enrolled.

The Speaker announced that he had signed enrolled Senate act No. 4, and also enrolled House act No. 417.

Mr. Kimball presented sundry claims of the State Board of Agriculture.

Which were referred to the Committee on Claims.

Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled Senate bill No. 32 entitled, "An act to legalize the sale of seminary lands in Jasper county to Marion L. Spitler and Margaret Stackhouse, and directing how the proceeds of said sale shall be applied," with the engrossed copy, and find the same is correctly enrolled.

Also, your Joint Committee on Enrolled Bills report that they have compared Senate engrossed bill No. 153 entitled, "An act to amend an act entitled "An act to create a State Normal school, etc.,'" approved December 20, 1865, and adding supplemental section thereto and providing for certain appropriations, with the engrossed copy and find them correctly enrolled.

Engrossed House bill No. 489 was taken up, and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Cowgill, Crumpacker, Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Satterwhite, Schmuck, Scott, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—68.

Mr. Johnson voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Shirley, the vote by which Senate bill No 160 failed to pass, was reconsidered.

Mr. Ogden moved to recommit said bill to the Committee on Insurance with the following instructions: Refer to the Committee on Insurance with instruction, to enquire into the constitutionality and expediency of such an act.

Mr. Cauthorn moved to lay the motion on the table.

The question being, shall the motion of Mr. Ogden be laid on the table?

Messrs. Ogden and Cauthorn demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline,

Cobb, Coffman, Cole, Crumpacker, Durham, Ellsworth, Furnas, Gifford, Givan, Glazebrook, Hatch, Heller, Hedrick, Hollingsworth, Isenhauer, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, North, Pfrimmer, Reno, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Woollen —65.

Those who voted in the negative were, Messrs. Miller, Ogden, Smith, Wynn and Mr. Speaker—5.

So the motion to recommit was laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Dial, Durham, Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Gregory, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Kimball, King, Lent, Martin, McConnell, McKinney, Mellett, North, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard and Woollen—68.

Those who voted in the negative were, Messrs. Coffman, Goudie, Hardesty, Kirkpatrick, Miller, Ogden, Prentiss, Walker, Willson (of Ripley), Wood and Wynn—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Wood presented the claim of W. K. Stewart,

Which was referred to the Committee on Claims.

Mr. Strange was granted leave of absence until Tuesday next.

On motion, Senate bill No. 168 was taken up and the amendments adopted.

The question being shall the report be concurred in?

Messrs. Scott and Lenfesty demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Claypool, Cline, Cobb, Cole, Cowgill, Ellsworth, Glasgow, Gregory, Gronendyke, Hardesty, Hatch, Heller, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lent, Martin, Mellett, North, Pfrimmer, Reeves, Rudder, Satterwhite, Strange, Thayer, Tingley, Troutman, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen and Mr. Speaker—44.

Those who voted in the negative were, Messrs. Blocher, Butterworth, Butts, Cauthorn, Clark, Coffman, Crumpacker, Dial, Durham, Eward, Furnas, Gifford, Given, Glazebrook, Goudie, Hedrick, Lenferty, McConnell, McKinney, Ogden, Prentiss, Richardson, Scott, Shutt, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Wesner and Wynn—30.

So the report was concurred in, and the amendments adopted.

Mr. Mellett offered the following amendments:

Amend by inserting an allowance of two dollars per day for the the assistants of the principal and assistant clerk during the regular session for making the copy of the Journal for the printer, in pursuance of an act of this General Assembly, in addition to their regular pay.

Mr. Scott moved to lay the amendment on the table.

The question being, shall the amendments be laid on the table?

Messrs. Scott and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Crumpacker, Dial, Durham, Furnas, Given, Glasgow, Glazebrook, Goudie, Gronendyke, Hedrick, Isenhauer, Lenfesty,

McConnell, McKinney, Odle, Ogden, Prentiss, Reno, Rudder, Scott, Shutt, Smith, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Wesner, Whitworth, Willard, Willson (of Ripley), and Wynn—44.

Those who voted in the negative were, Messrs. Anderson, Barker, Billingsley, Broaddus, Buskirk, Claypool, Cole, Cowgill, Ellsworth, Eward, Gifford, Hardesty, Heller, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lent, Martin, Mellett, Miller, North, Pfrimmer, Reeves, Richardson, Satterwhite, Stanley, Tingley, Troutman, Walker, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—36.

So the amendment was laid on the table.

Mr. Ogden offered the following amendment:

Amend by inserting the following: "The Doorkeeper and his assistants shall each be allowed two dollars per day extra for services.

Pending the consideration of which the House, on motion of Mr. Gifford, adjourned until to-morrow morning at 9½ o'clock, a. m.

This journal was read in the hearing of the committee, and found to be correct.

W. K. EDWARDS, Speaker.

SATURDAY MORNING.

March 1, 1873, 9½ o'clock.

House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. S. S. Hunting, of Indianapolis.

The journal of yesterday was read in part, when, on motion, the further reading of the same was dispensed with.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report and introduced House bill No. 532.

Mr. Speaker:

I am instructed by the Committee on Ways and Means to report the following bill, authorizing a temporary loan to meet casual deficincies in the State Treasury—an act authorizing the Governor, Auditor and Treasurer of State to make a temporary loan.

Which bill was read a first time, and passed to a second reading.

The message from the Governor, in relation to the erection of a monument to the memory of General George H. Meade, was taken up, read and referred to the Committee on Federal Relations.

The message of the Governor, in relation to the enlargement of the State House grounds, etc., was taken up, read and referred to the Committee on Ways and Means.

The Senate message, in relation to the duties of the State Librarian in regard to the purchase of books, etc., was taken up, read and referred to the Committee on Public Libraries.

Senate message, in relation to the claim of Braden & Burford, was taken up and the concurrent resolution read and concurred in.

Engrossed Senate amendments to House bill No. 213, was taken up.

Engrossed Senate amendments to House bill No. 213—Strike out of the 4th line of section 1, the words, "or over drive."

Which amendment was not concurred in, and the Senate was requested to recede from its amendment.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act, to-wit:

Enrolled act No. 153—Senate—an act to amend an act entitled "An act to create a State Normal School, and declaring

an emergency," approved December 20, 1865, and adding supplemental sections thereto, and providing for certain appropriations.

Enrolled act No. 32—Senate—an act to legalize the sale of seminary lands in Jasper county, to Marion L. Spitler and Margaret Stackhouse, and directing how the proceeds of said sale shall be applied.

Also, that the President has signed the following enrolled act, to-wit:

Enrolled act No. 417—House of Representatives—entitled "An act governing costs in the Superior Courts of this State."

Also, enrolled act No. 4—Senate—an act to provide for the assessment and collection of taxes for municipal purposes, on the shares of stock owned in banks and banking associations doing business in this State, and the same has been delivered to the Joint Committee on Enrolled Bills.

Mr. Clark, from the Committee on Temperance, submitted the following report on House bill No. 322:

Mr. Speaker:

The Committee on Temperance, to whom was referred House bill No. 322, entitled "An act to regulate the sale of intoxicating liquors by druggists, have had the same under consideration, and have instructed me to report the same back, with the following amendments, viz:

In line 13, of section 1, strike out the work "license" and insert in lieu thereof the word "permit."

In line 16, of section 1, strike out the word "license," and insert in lieu thereof the word "permit."

Add at the end of section 1, the words, "for each and every offense."

In line 10, and section 2, strike out the words, "not less than one," and insert in lieu thereof the word "three."

Fill the blank in line 18, of section 2, by inserting the words,

"three thousand;" and when so amended the committee recommend its passage.

Which report was concurred in, the bill read a second time, and on motion of Mr. Baker, was laid on the table.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 245, entitled "A bill to provide for the letting of the State Printing to the lowest bidder, and providing that the Governor, Secretary of State and Auditor of State shall be ex-officio commissioners of public printing, and providing for the appointment of a superintendent of public printing, and abolishing the office of State Printer."

Engrossed Senate bill No. 258—a bill to prevent betting on elections, and providing punishment for the same.

Engrossed joint resolution No. 12—a joint resolution confirming the purchase of additional grounds whereon to erect a new State House.

Engrossed joint resolution No. 13—a resolution ordering that the sale of swamp lands belonging to the State be suspended, except in certain cases, and the same are herewith transmitted to the House of Representatives for its action thereon.

Also, the Senate has adopted the following resolution, to-wit:

WHEREAS, There are now on deposit in the office of the State Librarian, a large number of volumes of the report of the Adjutant General of the State of Indiana, and in their present condition they are entirely worthless; therefore, be it

Resolved by the Senate, the House of Representatives concurring therein, That the State Librarian is hereby authorized to distribute said reports, one set to each member, one set to each clerk, and one set to each doorkeeper of the Senate and House of this General Assembly.

And the same is submitted to the House of Representatives for its concurrence therein.

The Speaker announced that he had signed enrolled act No. 153; also, Senate enrolled act No. 32.

Mr. Blocher introduced House bill No. 533—a bill fixing the amount of comepnsation of pastors, priests, ministers, preachers and clergymen, for preaching funeral sermons, and making their fee for the same a preferred claim, and declaring an emergency.

Which bill was read a first time and referred to the Committee on Benevolent and Scientific Institutions.

Mr. Cowgill introduced House bill No. 534—an act legalizing the assessment and collection of municipal taxes for the years 1871 and 1872, of the town of Somerset, Wabash county.

Which bill was read a first time.

Mr. Cowgill moved to suspend the constitutional rule, have the bill read a second time by its title, considered as engrossed, read a third time and put upon its passage.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gregory, Gronendyke, Hedrick, Henderson, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Scott, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—73.

Messrs. Claypool and Crumpacker voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Hedrick, Heller, Henderson, Isenhauer, Johnson, Jones, Kimball, King, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Scott, Shutt, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—74.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Cobb, from the Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have this the 1st day of March, 1873, presented to the Governor Senate bill No. 4, entitled "An act to provide for the assessment and collection of taxes for municipal purposes on the shares of stock of bank and banking associations doing business in this State."

Also, Enrolled bill No. 417, entitled "An act governing costs in the Superior Courts of this State," for his approval and signature.

SPECIAL ORDER.

The special order being the consideration of House bill No. 530 in the Committee of the Whole House.

Whereupon Mr. Richardson was called to the chair.

After some time being spent in the Committee of the Whole House, the committee arose and through their chairman, Mr. Richardson, submitted the following report:

MR. SPEAKER:

The Committee of the Whole House, to whom was referred House bill No. 530, entitled "An act to raise revenue for State purposes for the years 1873 and 1874," have, according to order, considered the same, and have directed me, upon rising, to report the same back and recommend its passage.

Which report was concurred in.

On motion of Mr. Branham, the consideration of House bill No. 530 was made a special order for Tuesday next, at 10 o'clock, a. m.

On motion of Mr. Walker, Senate bill No. 115 was taken up and read a second time.

Mr. Richardson moved a call of the House.

The members answering to their names were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tully, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodward, Woollen, Wynn and Mr. Speaker—81.

On motion of Mr. Offutt, the further proceedings under the call were dispensed with.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following Enrolled acts, to-wit:

Senate Enrolled act No. 32—"An act to legalize the sale of seminary lands in Jasper county to Marion L. Spitler and Margaret Stackhouse, and directing how the proceeds of said sale shall be applied."

Senate Enrolled act No. 53—an act to amend an act entitled "An act to create a State Normal School," and declaring an emergency, approved Dec. 20, 1865, and adding a supplemental section thereto, and providing certain appropriations.

I am also directed by the Senate to inform the House of Representatives that the Senate has concurred in the amendments of the House to Senate bill No. 238, entitled a bill for "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the courts of Common Pleas and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," and the same has been delivered to the Joint Committee on Enrolled Bills, in compliance with the joint rules.

Mr. Offut moved to suspend the constitutional rule, consider amendments to Senate bill No. 115 as engrossed, and have the bill read the third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Dial, Dunham, Ellsworth, Eward, Givan, Gregory, Hatch, Hedrick, Heller, Henderson, Hoyer, Johnson, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellet, North, Offutt, Ogden, Reno, Richardson, Rudder, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Tingley, Troutman, Tulley, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Wynn—51.

Those who voted in the negative were, Messrs. Baker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Cole, Eaton, Edwards (of Lawrence), Furnas, Gifford, Glasgow, Goudie, Gronendyke, Isenhauer, Kimball, King, Miller, Pfrimmer, Reeves, Riggs, Satterwhite, Schmuck, Thompson (of Elkhart), Thompson (of Spencer), Wesner, Whitworth and Mr. Speaker—30.

So the constitutional rule was suspended.

Mr. Woodard moved that when the House adjourn it be until 10 o'clock on Monday next.

Which motion prevailed.

Mr. Walker offered the following resolution:

WHEREAS, the House, at an early day at this session, passed an act on the subject of divorces, being House bill No. 333, which was sent to the Senate some time before that body considered the subject; therefore,

Resolved, That the Senate be respectfully requested to take up said bill and take action thereon at as early a day as practicable.

Mr. Whitworth moved to reconsider the vote by which Senate bill No. 238 passed the House.

On motion of Mr. Blocher, the House adjourned until Monday morning at 10 o'clock.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

MONDAY MORNING.

MARCH 3, 1873, 10 O'CLOCK

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Rev. James Rudder, Representative from the county of Washington.

The journal of Saturday was read in part, when, on motion of Mr. Woodard, the further reading of the same was dispensed with.

On motion of Mr. Butterworth, House bills Nos. 195 and 224, and Senate bills Nos. 10, 88 and 69, were made a special order for 2 o'clock this afternoon.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary have had under consideration House bill No. 503—a bill regulating the convening and adjournment of grand juries, and have amended the same by adding the following provision to section 2: "*Provided*, that the grand jury shall be convened at least once in every year in each county."

When so amended they recommend that said bill pass.

Which report was concurred in, the amendment adopted, the bill as amended, read a second time and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred House bill No. 256—have had the same under consideration, and instructed me to report the same back to the House with a recommendation, to strike out all after the enacting clause, and insert the following amendment, and when so amended they recommend its passage:

Sec. 1. The circuit judges of this State shall have power, and it is hereby made their duty by proper order to arrange and regulate the order of business in their respective counties and in making such orders they shall provide.

First. For the making up of issues and transaction of probate business.

Second. For the trial of criminal cases.

Third. For the trial of civil cases.

SEC. 2. The petit jury shall be summoned to appear on the first day designated for the trials of criminal business and not before. After the beginning of the trial term the court shall proceed to try the cases in their regular order, which trials shall not be delayed or interrupted by the making up of issues. The judge shall as far as practicable so arrange the cases to be tried by the court, so that the same may be tried after the discharge of the jury, and such jury shall be immediately discharged when the cases requiring it shall be disposed of.

SEC. 3. The court shall have the power, when the business thereof requires it, to order the empanneling of special juries for the trial of any cause.

SEC. 4. An emergency exists for the immediate taking effect of this act, it shall therefore be in force from and after its passage.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 528 entitled, "An act concerning the employment of short hand reporters, regulating their duties, and providing that the original manuscript report of evidence may be used on appeal in certain cases," have examined the same and directed me to report the said bill back to the House, with the recommendation that it pass.

Which report was concurred in, and the bill read a second time and ordered to be engrossed.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled Senate bill No. 99, entitled "An act to authorize surities upon notes, bills, bonds and other instruments in writing, who have been compelled to pay the same for their principals, etc.;" also, enrolled Senate bill No. 50, entitled "An act to correct and define more correctly the boundary lines between the counties of Washington and Clark, and declaring an emergency," and find the same correctly enrolled.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary have had under consideration House bill No. 476—a bill relating to prosecutions by affidavit and information, and report the same back, with the recommendation that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Walker, chairman of the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred House bill No. 523—have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. Kimball, chairman of the Committee on Ways and Means submitted the following report, and introduced House bill No. 535:

MR. SPEAKER:

The Committee on Ways and Means have instructed me to report the following bill, making a specific appropriation for the year 1873:

House bill No. 535 being a bill introduced by Mr. Kimball, chairman of the Committee on Ways and Means, and by direction of said committee—an act making specific appropriations for the year 1873.

Which bill was read a first time and re-committed to the Committee on Ways and Means.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

Your Committee on Ways and Means, to whom was referred House bill No. 531, having had the same under consideration, herewith return the bill with amendments, and recommend its passage after being so amended.

Amend section 1 by striking out the words, "thirty thousand," after the word "sum," in the third line, and insert the following: "fifteen thousand dollars for the year 1873, and fifteen thousand dollars for the year 1874.

Which report was concurred in, the amendment adopted, the bill as amended read a second tine and ordered to be engrossed.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means having had House bill No. 351 under consideration, herewith return the bill, and recommend that it be referred to the Committee on Public Buildings.

Which report was concurred in and the bill so referred.

Mr. Branham, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions, to whom was referred House bill No. 154, having had the same under consideration, herewith return the bill with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Branham, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions, to whom was referred House bill No. 533—a bill fixing the amount of compensation of pastors, priests, ministers, preachers and clergymen, for preaching funeral sermons, and making their fee for the same a preferred claim, and declaring an emergency—have had the grave subject of said grave bill under grave consideration, and gravely recommend that said grave bill be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Branham, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions, to whom was referHouse bill No. 428, having had the same under consideration, herewith return the bill recommending that the blank in section 1, be filled by inserting the word, "twenty-five," and that the blank in section 2 be filled by inserting the words, "one hundred," and when so amended recommend its passage.

Which report was concurred in, the amendments adopted, the bill as amended read a second time and ordered to be engrossed.

Mr. Brett, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions, to whom was referred House bill No. 296, having had the same under consideration, herewith report the same back to the House, with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Butts, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions, to whom was referred House bill No. 116, having had the same under consideration, herewith report the same back to the House, with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. Brett, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions herewith recommend that the sum of six thousand dollars, in addition to the amount heretofore allowed, be appropriated to the Indiana Institute for the Education of the Blind, the present current year, for the following specific purposes, viz:

For re-building fences	$1,000 00
For steam fixtures in work-shop	1,500 00
For repainting building	1,000 00
For constructing drain from premises to city sewer	1,000 00
For introducing water from city works	1,500 00
Total	$6,000 00

And ask that the subject be referred to the Committee on Ways and Means, with instructions to place the same in the general appropriation bill.

Which report was concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 493, entitled "A bill to amend section 8 of an act entitled 'An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act,'" approved February 18, 1859.

Also, I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act to-wit:

Enrolled act of Senate No. 99, entitled "An act to authorize sureties upon notes, bills, bonds, or other instruments in writing, who have been compelled to pay the same for their principals, to collect off of the principals interest on the amount paid by such sureties, at the rate provided for in such original notes, bills, bonds, or other instruments in writing held against such principals, and regulating the rate of interest on judgments rendered thereon."

Senate joint resolution No. 15, entitled "A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence in procuring the passage of an act of Congress by which the time for filing and prosecuting claims for pensions by wounded soldiers may be extended.

Engrossed House bill No. 360, entitled "A bill to appropriate one hundred and fifty dollars for the distribution of the report of the Superintendent of Public Instruction."

Engrossed House bill No. 382, entitled "A bill relative to the salary of the Superintendeet of Public Instruction, and providing the manner of paying the same."

Mr. Lent, from the Committee on Benevolent Institutions, submitted the following report:

Mr. Speaker:

The Committee on Benevolent Institutions, to whom was referred House bill No, 443—having had the same under consideration, herewith return the bill with the recommendation that it be laid on the table.

Which report was concurred in and the bill laid on the table.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 426—an act to provide for organizing Street Railroads to

extend beyond city or town boundaries, and to assess lands adjoining for the benefit of said road—have had the same under consideration and direct me to report the same back with the recommendation that the same lay on the table.

Which report was concurred in and the bill laid on the table.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 515—an act to legalize elections in certain cases, held by counties and townships, to authorize aid to the construction of Railroads—have had the same under consideration and direct me to report back with the recommendation that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. King, Chairman of the Committtee on Railroads, submitted the following Report:

MR SPEAKER:

The Committee on Railroads to whom was referred House bill No. 505—an act declaratory of the true intent and meaning of an act approved January 30, 1873, and entitled "An act to authorize aid to the construction of Railroads, by counties and townships, taking stock in and making donations to Railroad companies," approved May 12, 1869—have had the same under consideration, and direct me to report the same back to the House, with the recommendation that the same pass.

On motion, of Mr. Miller, the bill and report was laid on the table.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

MR. SPEAKER:

The Committee on Railroads, to whom was referred House bill No. 524—a bill to authorize Railroad companies, organized under

the laws of the State of Indiana, to make contracts for the use of their tracks by the trains of each other, and to notify bona fide contracts for such purposes heretofore made—have had the same under consideration and direct me to report the same back with a recommendation that it pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 336—a bill providing that Railroad aid may be advanced under certain considerations—have had the same under consideration and direct me to report the same back with the recommendation that the same be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 509—a bill providing for the constructing of private narrow gauge railways—have had the same under consideration and direct me to report the same back with the recommendation that the same pass.

Which report was concurred in, the bill read a second time and ordered to be engrossed.

Mr. King, Chairman of the Committee on Railroads, submitted the following report:

Mr. Speaker:

The Committee on Railroads, to whom was referred House bill No. 400—an act supplemental to an act, approved May 12, 1869, entitled " An act to authorize aid to the construction of Railroads

by counties and townships, taking stock in and making donations to Railroad companies,"—have had the same under consideration, and direct me to report back to the House with the recommendation that the same lay on the table, for the reason that there has been sufficient legislation relevant to this bill.

Which report was concurred in, and the bill laid on the table.

Mr. Ogden, Chairman of the Committee on Corporations, submitted the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred House bill No. 387, entitled an act to amend section 13 of an act entitled "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852—have had the same under consideration and have directed me to report the same back to the House with the recommendation that it lie upon the table.

Which report was concurred in and the bill laid on the table.

Mr. Johnson, chairman of the Committee on Public Expenditures submitted the following report:

Mr. Speaker:

Your Committee on Public Expenditures, to whom was referred House bill No. 229 entitled, "An act to provide for furnishing a copy of the statutes to each Justice of the Peace in the State"—have considered said bill, and herewith return the same to the House, and recommend that it be indefinitely postponed.

Which report was concurred in and the bill indefinitely postponed

The Speaker announced that he had signed enrolled act No. 99

Mr. Gifford, chairman of the Committee on Cities and Towns submitted the following majority report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred Senate bill No. 254—have had the same under consideration, and have instructed me to report the same back to the House, with the rec ommendation, that it pass.

Mr. Miller, from the same committee, submitted the following minority report:

Mr. Speaker:

The undersigned members of the Committee on Cities and Towns, to whom was referred Senate bill No. 254, have been unable to agree with the majority of the committee, and as a minority report would submit the following:

This bill is entitled, "An act to amend section sixty of an act entitled, "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same and to regulate such other matters as properly pertain thereto,'" approved March 14, 1867.

This bill both in its title and in the first section refers to section sixty, as it stood in the act approved March 14, 1867, and evidently proceeds upon the assumption that the said section has not been amended by enrolled House bill No. 71, which was returned by the Governor to this House on the 25th day of February 1873, with his objection, for if so amended, this bill is defective in attempting to amend a section that has been already amended without refering to the act amendatory thereof; his Excellency in his communication of February 25, returning to this House enrolled House bill No. 71 with his objection, informs us, that the same was duly presented to him on the 12th day of February for his approval, by the Joint Committee on Enrolled Bills, having previously passed both Houses of this General Assembly, and been signed by the Speaker of the House and presented to the Senate, that on the fourteenth the same committee presented to him a resolution of the Senate, requesting him to return to that body the enrolled act, and that he complied with the resolution by delivering the bill to that committee, who returned it to the Senate on the 17th where it remained until the 21st, when the following resolution was adopted:

Resolved, That all resolutions and motions adopted by the Senate relative to House act No. 71 since the passage of said bill by the Senate, are hereby declared inoperative and void. That on the same day the bill was again presented to him by the same committee; the act was returned to this House with the objection

of the Governor on the 25, and on the 26th the House refused to pass the bill over the objection, notwithstanding the high authority of the Governor and the Attorney General.

I am forced to the conclusion that the bill is to be considered as presented to him for his approval on the 12th of February, and became a law on the 15th without executive approval, and that the action of the Senate, Governor and this House in reference thereto, after its presentation to the Governor were in the apt language of the resolution of the Senate inoperative and void. The whole question turning upon the point, whether the Senate after the passage of a bill by both branches of the General Assembly, and after it has been duly signed and delivered to the Governor has a right to recall from his possession without the consent of the House, if it has not that power, then the possession of the bill under consideration must in legal contemplation be said to have been in the Governor from the 12th to the 25th day of February inclusive and took effect and became a law on the 15th.

A bill passed the Assembly of the State of New York, April 18, 1873, and sent to the Senate where it was passed April 22, and returned to the Assembly, and on the same day was sent by the Assembly to the Governor; on the 23d day of April the Assembly requested the Governor to return the bill to the Assembly; on the same day the Governor returned the bill to the Assembly with a message, stating, that it was so returned upon the request of the Assembly. An attempt to amend the bill was then made by the Assembly, but the Senate refused to concur and returned the bill to the Assembly with a message, informing the Assembly that as the bill passed both Houses and been sent to the Governor, it was in the judgment of the Senate beyond the controll of either House without the consent of the other, and that the Senate declined taking any further action in regard to it.

The regularity of these proceedings was raised and decided by the court of last resort in that State, in the case of *People* vs. *Devlin*, 33 N. Y., 269, in which case Potter J., delivering the opinion of the Court, after reciting facts, says, after the passage of a bill, in the legal and constitutional form, by both houses of the Legislature, and the same has been transmitted to the Governor in the manner provided by the constitution, have the two houses exhausted their power over it, or can they, or can either of the said houses, without the consent of the other, recall the bill by resolu-

tion, revest themselves with power further to act upon it? If they do possess the power, it is not found in the Constitution; it is not found in the statutes; it is not shown to be the custom or usage; although each House shall determine the rules of its own proceeding, as that of sending for a bill in the possession of the Governor has been shown to exist; besides, the bill at that time had become the act of both houses, and neither had then any further control over it. The act of courtesy of the Governor in returning to the Assembly the bill, at their request, conferred no power upon the House of Assembly to act further upon it.

Campbell J., in giving his opinion in the same case, says this bill had passed both houses and had been sent to the Governor for his approval; the recall of the Assembly was an infringement upon parlimentary law. It was an attempt to do alone what, if it could be done at all, required the joint action of both Senate and Assembly; all subsequent proceedings by the Assembly were irregular and of no effect.

These remarks are only intended to show what is believed to be the well settled parliamentary usage and law. The resolve of the Senate that the matter had passed beyond separate control was, I think, clearly right.

Relying upon these authorities, the minority of your committee would recommend that the title of said act be amended so as to read as follows: "An act to amend section one of an act to amend section sixty of an act entitled an act to repeal all general laws now in force for the incorporation of cites, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertains thereto," approved March 14, 1867; which took effect February 15, 1873.

That the first section be amended by striking out the recital of the title of the act to be amended, and inserting in lieu thereof the following: "of said act;" that said section be amended by striking out in lines 6 and 7 the words "or to public improvements or public works." Also, in lines 9 and 10, by striking out the words "or public improvements or public works," and that when so amended that the bill do pass.

JOHN D. MILLER.

On motion of Mr. Cauthorn, the bill and reports were laid on the table.

Mr. Gifford, chairman of the Committee on Cities and Towns submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred Senate bill No. 73, have had the same under consideration, and have directed me to report the same back to the House with a recommendation that it be indefinitely postponed.

On motion of Mr. Thompson (of Elkhart), said bill was recommitted to the Committee on Corporations.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred House bill No. 385, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred House bill No. 522, have had the same under consideration, and have directed me to report the same back to the House with the recommendation that it be indefinitely postponed.

On motion of Mr. Cauthorn, the bill and report were laid on the table.

Mr. Wood, chairman of the Committee on Drains and Dykes, submitted the following report.

MR. SPEAKER:

The Committee on Drains and Dykes, to whom was referred House bill No. 383, entitled "An act to enable the owners of over-

flowed farming land to inclose the same when it can not be done without affecting the lands of others, and prescribing the powers and duties of County Boards and County Auditors in relation thereto," have had had the same under consideration, and recommend its indefinite postponement.

Which report was concurred in, and the bill indefinitely postponed.

Mr. Reeves, chairman of the Committee on Roads, submitted the following report:

MR. SPEAKER:

Your Committee on Roads, to whom was referred House bill No. 484, entitled "An act authorizing turnpike companies to adopt the act of May 12, 1852, and the amendments thereto, and to amend section 18 of an act entitled 'An act to allow County Commissioners to organize turnpike companies where three-fifths of the persons representing the real estate within prescribed limits petition for the same, and to levy a tax for its construction, and to provide for the same to be free,'" approved March 6, 1865, have had the same under consideration, and recommend that it pass.

Which report was concurred in, and the bill read a second time and ordered to be engrossed.

Mr. Prentiss, from the Committee on Roads, submitted the following report:

MR. SPEAKER:

The Committee on Roads, to whom was referred House bill No. 457, entitled "An act providing for owners of land on each side of the highways heretofore established or opened, to give one-half of the land for such highways, for altering such highways, and for removal of fences, and for other purposes," have had the same under consideration, and beg leave to submit the following report, to-wit:

Add at the end of section 3 the following proviso: "*Provided further*, that no highway shall be changed under the provisions of this act but those located away from the lines indicated in the original petition by mistake, and nothing herein shall authorize the

changing of a public highway on to such ground as would not make such change of public utility."

After adopting the foregoing amendment said committee recommend that the bill pass.

Which report was concurred in, the amendments adopted, the bill as amended read a second time, and ordered to be engrossed.

Mr. King introduced House bill No. 536—an act regulating the salaries of public officers.

Which bill was read a first time, and referred to the Committee on Benevolent Institutions.

Mr. Branham introduced House bill No. 537—an act to extend the time for the election of directors of railroad companies, and to prevent the dissolution of such companies by any omission to elect within the time heretofore specified in the act of May 11, 1852.

Which bill was read a first time, and referred to the Committee on Railroads.

Mr. Claypool introduced House bill No. 538—an act to amend sections 25 and 88 of an act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 7, 1852, and to provide for jurisdiction and for collection of certain taxes in the territory aforesaid, and providing for submitting the question of re-adjusting the boundary lines between the counties of Warren and Fountain to the legal voters of those counties.

Which bill was read a first time, and referred to the following select committee: Messrs. Claypool, Hollingsworth, Gronendyke, Durham and Odle.

Mr. Claypool presented petitions from sundry citizens of the counties of Warren and Fountain, asking for a change in the boundaries of said counties.

Which was referred to the following select committee: Messrs. Claypool, Hollingsworth, Gronendyke, Durham and Odle.

Mr. Kimball offered the following resolution:

Resolved, That the Committee on Insurance be and they are hereby respectfully requested to report back to the House instanter bill No. 350, which was referred to them with such recommendations and amendments as they may see proper to make.

Which resolution was adopted.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have carefully compared enrolled House bill No. 224; also Senate bill No. 310, with the engrossed copies thereof, and find the same correctly enrolled.

Mr. Cauthorn offered the following resolution:

WHEREAS, Section 1, of Article 3, of the Constitution of the State, distributes the powers of the government into three separate, co-ordinate and equal departments, viz., the legislative, the executive, and the judicial; and

WHEREAS, the intercourse between these independent and equal departments is designated and prescribed by the Constitution of the State; and

WHEREAS, it is understood that certain members of this House are circulating a petition for signatures, and presented to his Excellency the Governor, requesting him to refuse his sanction to bill that passed this House by a constitutional majority; therefore,

Resolved, That such action on the part of any member of this House will not only be an infringement upon the privileges of the executive department of the government, but will be an insult to the House and a breach of privilege.

Pending the consideration of said resolution the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

SPECIAL ORDER.

The special order being the consideration of House bill No. 195, said bill was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barrett, Baxter, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cobb, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Givan, Glazebrook, Gregory, Hardesty, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Jones, Kimball, King, Lent, Martin, McConnell McKinney, Millett, North, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Thompson (of Elkhart), Tulley, Whitworth, Willard, Woodard, Woollen and Mr. Speaker—58.

Those who voted in the negative, were Messrs. Blocher, Cline, Furnas, Gifford, Goudie, Gronendyke, Hedrick, Kirkpatrick, Miller, Offutt, Ogden, Rumsey, Scott, Troutman, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed House bill No. 224, was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson Barrett, Baxter, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Heller,

Henderson, Hollingsworth, Hoyer, Jones, Kimball, King, Lent, Martin, McConnell, McKinney, North, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Shirley, Smith, Shutt, Stanley, Teeter, Thayer, Thompson (of Elkhart), Tulley, Whitworth, Willard, Woodard, Woollen and Mr. Speaker—61.

Those who voted in the negative, were Messrs. Furnas, Goudie, Hedrick, Kirkpatrick, Miller, Offutt, Ogden, Rumsey, Scott, Troutman, Wesner, Wilson (of Blackford), Wood and Wynn—15.

So the bill passed

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 292, entitled "A bill regulating the fees of officers and providing penalties for its violation, repealing certain acts therein named, and providing duties to be performed by State, county and township officers, and matters properly connected therewith and declaring an emergency."

Engrossed Senate bill 294, entitled "A bill to amend an act entitled an act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, and to repeal certain sections of the same in this act specified, and the same are hereby submitted to the House of Representatives for its action thereon.

Also, I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof the following enrolled acts, to-wit:

Enrolled Senate act No. 224, entitled "An act for the relief of Nicholas Morback, Joseph E. Lange and Francis Joseph Wetzler.

Enrolled act of the Senate No. 310, entitled "An act to provide for collecting agricultural, mineral and mechanical productions of Indiana and their display at the Vienna Exposition, for the appointment of a Commissioner and Assistant Commissioners, and to provide for the expenses connected therewith."

Mr. Kimball presented the claim of Anthony Davis for services in taking care of the Committee Rooms.

Which was referred to the Committee on claims.

Mr. Kimball presented the claim of Everson & Jenkins for rent of rooms for committees.

Which was referred to the Committee on Claims.

The Speaker announced that he had signed enrolled Senate act No. 310, and enrolled Senate act No. 224.

SPECIAL ORDER.

The special order being the consideration of Senate bills Nos. 10 69 and 88, and House bills Nos. 195 and 224.

Senate bill No. 10 was taken up and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Mellett, North, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Thompson (of Elkhart) Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—77.

Mr. Wynn voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 69 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Bowser, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cobb, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Miller, North, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 88 was taken up.

Mr. Hatch moved to lay the minority report on the table.

The question being, shall the minority report be laid on the table?

Messrs. Gregory and Henderson demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Baxter, Billingsley, Branham, Butterworth, Cobb, Crumpacker, Dial,

Edwards (of Lawrence), Gifford, Glazebrook, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Johnson, King, Offutt, Pfrimmer, Reeves, Reno, Rudder, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willson (of Ripley), Wood, Woodard and Mr. Speaker—36.

Those who voted in the negative were, Messrs. Anderson, Bowser, Buskirk, Cauthorn, Clark, Claypool, Eaton, Ellsworth, Furnas, Givan, Goble, Gregory, Heller, Hoyer, Jones, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Ogden, Peed, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Wesner, Wilson (of Blackford) and Woollen—35.

So the minority report was laid on the table.

Mr. Gregory moved to lay the majority report on the table.

The question being, shall the majority report be laid on the table?

Messrs. Wood and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Bowser, Buskirk, Cauthorn, Claypool, Cline, Cole, Dial, Durham, Eaton, Ellsworth, Furnas, Givan, Gregory, Heller, Hoyer, Jones, Kimball, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Ogden, Peed, Richardson, Riggs, Rudder, Rumsey, Schmuck, Shirley, Smith, Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford) and Woollen—40.

Those who voted in the negative were, Messrs. Baxter, Billingsley, Blocher, Branham, Butterworth, Clark, Cobb, Crumpacker, Edwards (of Lawrence), Gifford, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Henderson, Hollingsworth, Johnson, King, Martin, Offutt, Pfrimmer, Prentiss, Reeves, Reno, Shutt, Stanley, Teeter, Thayer, Thompson (of Elkhart), Walker, Wesner, Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—38.

So the majority report was laid on the table.

Mr. Offutt moved to lay the bill on the table.

The question being, shall the bill be laid on the table?

Messrs. Gregory and Hatch demanded the ayes and noes.

Those who voted in the affirmiative were, Messrs. Butterworth, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Gifford, Glazebrook, Hatch, Hedrick, Henderson, King, Offutt, Pfrimmer, Reno, Teeter, Thompson (of Spencer), Willson (of Ripley) and Wood—18.

Those who voted in the negative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Dial, Ellsworth, Furnas, Givan, Goudie, Gregory, Gronendyke, Heller, Hollingsworth, Hoyer, Johnson, Jones, Kirkpatrick, Lent, Martin, McConnell, McKinney, Mellett, North, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Thayer, Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—62.

So the bill was not laid on the table.

Mr. Smith moved that the constitutional rule be suspended, and the bill read a second time by its title, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Givan, Glazebrook, Goble, Gregory, Gronendyke, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Woodard, Woollen, Wynn and Mr. Speaker—73.

Those who voted in the negative were, Messrs. Crumpacker, Gifford, Goudie, Hatch, Hedrick and Wood—6.

So the constitutional rule was suspended and the bill read a second time by its title.

Whereupon Mr. Hatch offered the following amendment:

Amend section 23 by inserting in line 7, printed bill, "but they shall not have power to order the payment of more than one installment until the construction of the work shall have been commenced, and they shall not have power to order the payment of additional installments sooner than is necessary for the continued prosecution of the work."

On motion of Mr. Thayer, the motion was laid on the table.

Mr. Butterworth offered the following amendment:

Amend section 13, line 4, printed bill, by striking out "one-third," and inserting in lieu thereof, "a majority;" and in line 6, strike out "one-third" and insert "a majority."

Which amendment was adopted.

Mr. Gregory offered the following amendment:

SEC. 30. In any case in which persons have heretofore attempted to organize an association for the purpose contemplated in this act, under prior laws of this State, and have in good faith taken such steps as were supposed by them to be necessary to make and perfect such organizations, and have proceeded in good faith to the actual construction of any or all portions of their proposed work prior to the first day of November, 1872, and shall have failed or been unable to collect assessment of benefits because of any error, informality or invalidity in the organization of said association or in its proceedings, then and in every such case it shall be lawful for such persons, or any portion of them not less than two-thirds of all those united in the original undertaking, together with such other persons as shall unite with them to sign and adopt articles of association and become incorporated in the manner provided in this act, for the purpose of taking possession of the work undertaken and commenced by said former attempted association, and completing or keeping them in repair, as the case may require, and such newly organized company shall have the right to assume all the debts and liabilities incurred by said former attempted associa-

tion or the persons composing the same, for labor and material employed in the construction ot said work, if the same is unfinished, and in such case said newly organized company shall have power to cause an assessment of benefits and injuries to lands affected by said work, to be made and collected under this in the same manner as if said work had been undertaken and done by said newly organized company in the first instance: *Provided*, That all persons assessed shall have credit on their assessments for all payments made by them on account of said work to the former association or persons comprising it: *And provided further*, That the provisions of this section shall not apply to the case of any association or attempted asssociation the main line of whose purpose work shall exceed sixteen miles in length.

Which amendment was adopted.

The amendments were then considered as engrossed, the bill read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Cauthorn, Clark, Claypool, Cowgill, Durham, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Goudie, Gregory, Gronendyke, Hardesty, Heller, Hollingsworth, Jones, Kimball, Kirkpatrick, Lent, Martin, McConnell, Mellett, North, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Scott, Shutt, Smith, Stanley, Strange, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—59.

Those who voted in the negative were, Messrs. Buskirk, Butterworth, Crumpacker, Dial, Eaton, Glazebrook, Goble, Hatch, Hedrick, Henderson, Hoyer, Johnson, King, McKinney, Miller, Pfrimmer, Reno, Satterwhite, Schmuck, Teeter, Thompson (of Spencer) and Wood—21.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 36, entitled a bill to amend sections one and six of an act entitled "An act to incorporate the Franklin Insurance Company," approved February 13, 1851, and the same is herewith returned to the House of Representatives.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed the following enrolled act, to-wit:

Enrolled Senate act No. 310, entitled "An act to provide for collecting agricultural, mineral and mechanical productions of Indiana, and their display at the Vienna Exposition, for the appointment of a commissioner and assistant commissioner, and provide for expenses connected therewith."

Enrolled Senate act No. 224, entitled "An act for the relief of Nicholas Morback, Joseph E. Lange and Francis Joseph Wetzler.

Enrolled Senate act No. 99, entitled "An act to authorize sureties on notes, bills, bonds, and other instruments in writing, who have been compelled to pay the same for their principals, to collect off the principals interest on the amount paid by such sureties, at the rate provided for in such original notes, bills, bonds, or other instruments in writing, held against such principals, and regulating the rate of interest on judgments rendered thereon;" and the same have been delivered to the Joint Committee on Enrolled Bills, in compliance with the Joint Rules.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of Baker, Hord & Hendricks, for legal services rendered the State in canal case, have had the same under consideration, and have directed me to report the same back with the recommendation that the same be allowed, and referred to the Committee on Ways and Means, to be incorporated in the Specific Appropriation bill.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of J. C. McCormick and D. W. Roland, for three days' work each in making a calendar of bills pending in the House upon the adjournment of the late special session, at $5 per day, have had the same under consideraton, and direct me to report the same back with the recommendation that the same be allowed, and referred to the Committee on Ways and Means to be incorporated in the Specific Appropriation bill.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of Z. W. Coffin, for services as Stationery Clerk in the office of the Secretary of State, from January 27 to March 10, 1873, inclusive, forty-three days at $5 per day, have had the same under consideration, and I am directed to report the same back with the recommendation that the same be allowed, and referred to the Committee on Ways and Means to be incorporated in the Specific Appropriation bill.

Which report was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared House bill No. 36, entitled "An act to amend sections one and six of an act to incorporate the Franklin Insurance Company," approved February 13, 1851, with the engrossed copy, and find that the same is correctly engrossed.

The Speaker announced that he had signed enrolled House act No. 36.

Mr. Riggs, Chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims to whom was referred the claim of Walter C. Baker, for services as Stationery Clerk, in the office of Secretary of State, from January 17, to March 10, inclusive, fifty-three days at $5 per day, $265, have had the same under consideration, and I am directed to report the same back with the recommendation that the same be allowed; referred the same to the Committee on Ways and Means to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Riggs, Chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of the Republican State Central Committee for rent of rooms for use of committee, and also coal, have had the same under consideration, and directed me to report the same back with the recommendation that the same be allowed; and refer the same to the Committee on Ways and Means, to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Cobb, from the Committee on Claims, submitted the following report:

Mr. Speaker:

Your Joint Committee on Claims report as follows: The claim of Martin A. Reeder, which was referred to said committee they find is passed on a claim for extra work done on the State Reform School, near Plainfield; that the claim of Dillen Hayworth is also for extra work done on the same institution, and from the nature of the case it is impossible to consider the one separate and apart from the other; therefore your committee beg leave to state the facts as applicable to both cases, and report the same, with their recommendation thereon, to the House:

Some time in the year 1869, Reeder contracted with the State to erect certain buildings at Plainfield, for the specific sum of of $20,000, according to plan and specifications. It was further stipulated that the State might make what changes it saw fit, but if changed, then the difference of cost was to be added to or deducted from the contract price as it might increase or decrease the cost. Your committee further find that Hayworth was a sub-contractor under Reeder, and was by his contract with Reeder to do the same work required in the construction of said building Your committee further find that there was additional work ordered by the State, and that a large share of the work and material were done and furnished by Hayworth. Your committee further find that part of the work, done by said Reeder, was not according to contract, and was very faulty. Your committee further find that on an attempt at a settlement between Reeder and the State they could not agree, and finally it was agreed between Reeder, on the one hand, and the Governor, on the other hand, to leave the matter in difference between the parties—Hayworth not being known by the State in the matter, it not having any contract with him—to arbitrators, one to be chosen by Reeder and one by the State, that said arbitrators did, in pursuance to said agreement, estimate said extra work; also the amount to be deducted by reason of bad work, unseasoned and unfit material. The amount found due for extra work was $5,047.78. They also found a profit on said work amounting to $579 80. As to this item your committee make no recommendation. They also found by reason of the bad work, green and unseasoned lumber, etc., the State was entitled to a reduction, by way of damage, in the sum of $2,776, leaving a balance of $2,271.76 for work, the amount of per cent not inclu-

ded. Your committee further find that of this sum $1,122.06 has already been paid by the State. Your committee further find that Reeder is wholly insolvent, and that there is due Hayworth, for extra work on which this claim is founded, over $2,200, besides a large amount on his contract with Reeder. Therefore, your committee recommend that whatever amount be found due any of the parties, be paid Dillen Hayworth, as a matter of equity. Your committee therefore found that there is due, for extra work done on said job, the sum of $1,149.72, and if the General Assembly should conclude the sum found as per cent. profit ought also to be allowed, then there would be due the sum of $1.729.52; and whatever sum decided on they recommend be paid Dillen Hayworth in full satisfaction of both of the claims of said Reeder and the said Hayworth; and recommend that the same be referred to the Committee on Ways and Means, and be incorporated in the specific appropriation bill.

Which report was concurred in and the sum of $1.729.52 allowed to said Hayworth, and the claim referred to the Committee on Ways and Means with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of W. R. Stewart, for services as copying clerk in the House of Representatives, for $100, refer the same back without recommendation.

Which claim was allowed and referred to the Committee on Ways and means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of John Maloney for services as Janitor, $92, have had the same

under consideration and refer the same back without recommendation.

Which claim was allowed and referred to the Committee on Ways and Means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims to whom was referred the claim of Sunday Post, for 630 copies of Sunday Post per week, at 12½ cents for nine weeks $708.75, have had the same under consideration, and I am directed to report the same back with the recommendation that the same be allowed, refer the same to the Committee on Ways and Means, to be incorporated in the specific appropriation bill.

Which report was concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act, to-wit:

Enrolled act No. 36, House of Representatives, entitled an act to amend sections one and six of an act entitled "An act to incorporate the Franklin Insurance company," approved February 15, 1851, and the same has been delivered to the Joint Committee on enrolled bills, in compliance with the joint rules.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of Wm. E. Redmond, for services as janitor sixty days, $300, have had the same under consideration, and refer the same back without recommendation.

Which claim was allowed and referrd to the Committee on Ways and Means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of W. W. Collins, for services as clerk on Committee of Ways and Means, forty-three days, at $5 per day, $215, have had the same under consideration, and direct me to report the same back without recommendation.

Which claim was allowed and referred to the Committee on Ways and Means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of J. C. Burnett, for eighteen days' services as clerk on Committee on Ways and Means, $90, have had the same under consideration, and refer the same back without recommendation.

Which claim was allowed and referred to the Committee on Ways and Means, with instructions to incorporate the same in the specific appropriation bill.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of Hilary Clay, for clerical services in various cases connected with Attorney General's office, making copies, etc., for $750, have had the same under consideration, and direct me to report the same back with the recommendation that he be allowed $450 in full.

Which report was concurred in and the claim allowed.

Mr. Shutt, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of George W. Wrose, for services as janitor during the general session of 1871, have had the same under consideration, and I am directed to report the same back with the recommendation that the same be not allowed.

Which report was concurred in.

Mr. Shutt, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred claim of Anna T. Fournier, have had the same under consideration, and direct me to report the same back with the recommendation that the same be allowed and referred to the Committee on Ways and Means, to be incorporated in the specific appropriation bill.

Which report was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor, this third day of March, 1873, enrolled Senate bill No. 99; also, enrolled House bill No. 224; also, enrolled House bill No. 36, for his approval and signature.

Mr. Gifford offered the following resolution:

Resolved, That Samuel A. Harrah be, and is hereby, allowed the sum of two hundred and fifty dollars, for services rendered by him as janitor of the House Committees, from the 9th day of January, 1873, to the 26th day of February, 1873, and that the same be incorporated in the specific appropriation bill.

Which resolution was referred to the Committee on Claims.

On motion of Mr. King, the claim of N. B. Taylor was taken from the table.

The question being, shall the report be concurred in and the claim allowed?

Messrs. Peed and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Butterworth, Claypool, Cline, Cobb, Cole, Dial, Furnas, Gifford, Gregory, Hardesty, Henderson, Hollingsworth, Johnson, King, McConnell, McKinney, Offutt, Ogden, Richardson, Riggs, Shirley, Strange, Thayer, Tingley, Whitworth and Woollen—34.

Those who voted in the negative were, Messrs. Barker, Blocher, Bowser, Cauthorn, Cline, Crumpacker, Durham, Eaton, Ellsworth, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hedrick, Jones, Kimball, Kirkpatrick, Lent, Mellett, Miller, North, Peed, Pfrimmer, Prentiss, Reno, Rudder, Rumsey, Satterwhite, Scott, Shutt, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—44.

So the claim was not allowed.

Mr. Offutt presented the claim of J. B. Hill.

Which was referred to the Committee on Claims.

Mr. King presented the claim of O. M. Wilson.

Which was referred to the Committee on Claims.

The resolution of Mr. Gregory, in relation to holding evening sessions of this House, was taken up.

Pending the consideration of which, on motion of Mr. Hollingsworth, the House adjourned until to-morrow at 8½ o'clock p. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

TUESDAY MORNING.

March 4, 1873, 8:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Hon. Nathan H. Clark, Representative from the county of Hamilton.

On motion of Mr. Cobb, the reading of the journal of yesterday was dispensed with.

Mr. North, from the Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have examined engrossed House bill No. 508 and find it in all things correctly engrossed.

Engrossed Senate bill No. 301 was taken up—a bill providing for the incorporation of companies formed for the purpose of constructing bridges for railway and common roadway purposes, or both over rivers and streams, forming the boundaries of the State of Indiana or a part thereof.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Engrossed Senate bill No. 61 was taken up—a bill to protect society against dangerous consequences, arising from setting at liberty persons who may have been acquitted of any murder, manslaughter, robbery, arson, rape, larcency, or other felony upon the plea and defense of insanity.

Which bill was read a first time and referred to the Committee on the Judiciary.

Engrossed Senate bill No. 143 was taken up—a bill to restrain all persons from hireing or employing persons under the age of twenty-one years, to make or vend by the wholesale or retail any spirituous or intoxicating liquors, and prescribing penalties therefor and declaring an emergency.

Which bill was read a first time and referred to the Committee on Temperance.

Engrossed Senate bill No. 35 was taken up—a bill to amend section 29 of an act entitled, "An act to repeal all laws now in force for the incorporation of cities, and to provide for the incorporation of cities, and prescribing their rights and powers, and the manner in which they shall exercise the same and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Engrossed Senate bill No. 327 was taken up—a bill to limit the time of bringing an action at law or equity upon a judgment obtained in any other State of the United States.

Which bill was read a first time and referred to the Committee on the Judiciary.

Engrossed Senate bill No. 117 was taken up—a bill regulating the granting of divorces, nullifications of marriages and decrees, and orders of courts incident thereto, and repealing all laws conflicting with this act and declaring an emergency.

Which bill was read a first time and on motion of Mr. Walker laid on the table.

Engrossed Senate bill No. 148 was taken up—a bill to provide for the relocation of county seats, and repealing all laws contravening the provisions of this act and declaring an emergency.

Which bill was read a first time and referred to the Committee on the Judiciary.

Engrossed Senate bill No. 176 was taken up—a bill supplemental to and repealing section 13 of an act entitled, "An act to establish public libraries," approved February 16, 1852, defining the powers of cities in relation thereto, providing for the collection of fines and forfeitures imposed by library associations, and permitting other corporations to take stock in the same.

Which bill was read a first time and referred to the Committee on Cities and Towns.

Engrossed Senate bill No. 264 was taken up—a bill to amend sections 4, 5, 26, 36, 43 and 58 of an act entitled, "An act granting to the citizens of the town of Evansville in the county of Vanderburgh a city charter," approved January 27, 1847.

Which bill was read a first time.

Mr. King moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Brett, Broaddus, Buskirk, Butterworth, Butts, Claypool, Cline Cobb, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reeves, Reno. Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—75.

Mr. Gregory voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Blocher, Branham, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite,

Schmuck, Scott, Shirley, Shutt, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Givan, Gregory, Henderson, Martin, Tulley and Wood—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 156 was taken up—a bill to authorize cities constructing water works, to issue bonds and to dispose of the same in aid of the construction of such water works.

Which bill was read a first time.

Mr. Butterworth moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Branham, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Ogden, Peed, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woollen Wynn and Mr. Speaker—77.

Those who voted in the negative were, Messrs. Kirkpatrick and Reno—2.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Cole, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—74.

Messrs. Reno and Tulley voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 289 was taken up—a bill to fix the salaries of the Judges of the Supreme Court of this State and to provide for the time and manner of payment, and declaring an emergency for the immediate taking effect of this act.

Which bill was read a first time and referred to the Committee on Fees and Salaries.

Engrossed Senate bill No. 292 was taken up—a bill regulating the fees of officers and providing penalties for its violation, repealing certain acts therein named, and providing duties to be performed by the State, county and township officers, and matters properly connected therewith, and declaring an emergency.

Mr. Walker moved that the constitutional rule be suspended, the bill read a first and second time by its title.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Trontman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—83.

Those who voted in the negative were, Messrs. Anderson, Buskirk, Dial and Wesner—4.

So the constitutional rule was suspended and the bill read a first and second time by its title, and, on motion of Mr. Shirley, said bill was made a special order for to-morrow at 10 o'clock, a. m.

Engrossed Senate Joint Resolution No. 12 was taken up—a joint resolution confirming the purchase of additional grounds whereon to erect a new State House.

Which joint resolution was passed over informally.

Mr. Kimball, chairman of the Committee on Ways and Means, introduced House joint resolution No. 21—joint resolution in relation to the location of a new State House, removal of the Blind Asylum and sale of old State House.

Mr. Cauthorn offered the following amendments:

Amend by striking out the words "grounds occupied by the Blind Asylum," and inserting in lieu thereof "University Square."

Mr. Brett offered the following amendment to the amendment:

Amend the amendment by striking out the "University Square," and inserting "the present State House grounds."

Which amendment was adopted.

On motion of Mr. Kimball, the joint resolution was laid on the table.

On motion of Mr. Kimball, Senate joint resolution No. 12, passed over informally, was taken up, read and put upon its passage.

The question being, shall the Senate joint resolution pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Mr. Speaker—90.

Those who voted in the negative, were Messrs. Wesner, Willard, Woollen and Wynn—4.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared enrolled House bill No. 360, entitled "An act to appropriate one hundred and fifty dollars for the distribution of the re-

port of the Superintendent of Public Instruction;" also, enrolled House bill No. 382, entitled "An act relating to the salary of Superintendent of Public Instruction, and providing the manner of paying the same;" also, enrolled House bill No. 493, entitled "An act to amend section 8 of an act entitled "An act to provide for the more uniform mode of doing township business, prescribing an act to amend an act to incorporate the Lawrenceburg Insurance Company," approved February 3, 1832, and find that the same are correctly enrolled.

Mr. Walker introduced House bill No. 539—an act to amend the first section of an act entitled "An act creating the 19th, 20th and 21st judicial circuits, providing for the election of judges and prosecuting attorneys thereof, and providing compensation therefor, declaring the jurisdiction of said courts, and providing for a transfer of actions thereto," approved March 11, 1867, and to provide for the transfer of action and business in said 21st judicial circuit to the Circuit Court, and declaring its jurisdiction in relation thereto.

Which bill was read a first time.

Mr. Walker moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Ogden, Odle, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—81.

Those who voted in the negative were, Messrs. Barker, Furnas, Hedrick, Jones, Rumsey and Scott—6.

So the constitutional rule was suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Dial, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Heller, Hollingsworth, Isenhauer, Kimball, King, Kirkpatrick, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Peed, Pfrimmer, Prentiss Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—80.

Those who voted in the negative were Messrs. Baker and Furnas—2.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker announced that he had signed enrolled House acts Nos. 360, 382 and 493.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying engrossed amendments, the following bills, to-wit:

Engrossed House bill No. 55, entitled "A bill to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto.

Engrossed House bill No. 87, entitled "A bill to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto.

And the same are herewith returned to the House of Representatives, and in which amendments the concurrence of the House is respectfully requested.

Also I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 290, entitled a bill to suspend the operations and provisions of an act approved May 13th, 1869, being "An act to establish a Female Prison and Reformatory Institution for Girls and Women, to provide for the organization and government thereof, and making appropriations; and to provide for occupying and using the buildings and grounds of the Institution lately erected by the State, known as the Indiana Reformatory Institution for Women and Girls, for the benefit of the insane, as an additional asylum, and arranging for their transfer, management and government, and making appropriations for the same."

Also, I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled act, to-wit:

Enrolled act of the Senate No. 160, entitled an act to amend "An act to incorporate the Lawrenceburg Insurance company," approved February 3, 1832.

On motion of Mr. Willard, House bill No. 61, was taken from the table, the bill as amended considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Baxter, Billingsly, Branham, Butts, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Coffman, Cole, Cowgill, Crumpacker, Dial, Durham, Edwards (of Lawrence,) Ellsworth, Eward, Gifford, Glazebrook, Goble, Goudie, Gregory, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Martin, McConnell, Mellett, Miller, North, Odle, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—68.

Those who voted in the negative, were Messrs. Baker, Blocher, Claypool, Cline, Cobb, Hedrick, Lenfesty, McKinney, Wesner and Mr. Speaker—10.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Speaker announced that he had signed enrolled Senate act No. 160.

SPECIAL ORDER.

The special order being the consideration of House bill No. 530, said bill was taken up and read a second time.

Whereupon Mr. Thayer offered the following amendment:

Strike out "twenty" and insert "ten" for 1873. Strike out "fifteen" and insert "10" for 1874.

Mr. Hollingsworth offered the following amendment to the amendment:

Amend the amendment by substituting fifteen for ten cents on the hundred dollars.

Mr. Walker moved to lay the amendment to the amendment on the table.

The question being, shall the amendment to the amendment be laid on the table?

Messrs. Branham and Thayer demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Barrett, Blocher, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Coffman, Cole, Crumpacker, Dial, Durham, Eaton, Ellsworth, Furnas, Gifford, Givan, Glazebrook, Goble, Hardesty, Hatch, Hedrick, Heller, Henderson, Isenhauer, Johnson, Martin, Mellett, McKinney, Offutt, Peed, Prentiss, Reno, Richardson, Rudder, Schmuck, Scott, Shutt, Stanley, Teeter, Thayer Tulley, Walker, Wesner, Whitworth, Willson (of Ripley), Woodard, Woollen and Mr. Speaker—54.

Those who voted in the negative were, Messrs. Billingsley, Branham, Broaddus, Cline, Cobb, Edwards (of Lawrence), Eward, Glasgow, Goudie, Gronendyke, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Rumsey, Satterwhite, Shirley, Smith, Strange, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Willard, Wilson (of Blackford), Wood and Wynn—37.

So the amendment to the amendment was laid on the table.

The question being, shall the amendment offered by Mr. Thayer be adopted?

Mr. Ogden moved to lay the amendment on the table.

The question being, shall the amendment be laid on the table?

Messrs. Gifford and Thayer demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Branham, Brett, Broaddus, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Eward, Furnas, Goudie, Gregory, Gronendyke, Hardesty, Hedrick,

Hollingsworth, Johnson, Kimball, King, Kirkpatrick, McConnell, Mellett, Miller, North, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Smith, Tingley, Thompson (of Spencer), Tulley, Whitworth, Willard, Willson (of Ripley), Wood, Wynn and Mr. Speaker—52.

Those who voted in the negative were, Messrs. Barrett, Blocher, Buskirk, Butterworth, Butts, Claypool, Cline, Crumpacker, Dial, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Goble, Hatch, Henderson, Isenhauer, Jones, Lenfesty, Lent, Martin, McKinney, Odle, Offutt, Reno, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Strange, Teeter, Thayer, Troutman, Walker, Wesner, Wilson (of Blackford), Woodard and Woollen—45.

So the amendment was laid on the table.

Mr. Cobb offered the following amendments:

Amend by striking out "10" and inserting "13," for 1873.

Amend by striking out "15" and inserting "10," for 1874.

The question being, shall the amendments be adopted?

Messrs. Cauthorn and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Barrett, Blocher, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Crumpacker, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Lenfesty, Odle, Offutt, Prentiss, Reno, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Stanley, Strange, Thayer, Thompson (of Elkhart), Troutman, Walker, Wesner, Wilson (of Blackford), Wood and Woodard—44.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Branham, Brett, Broaddus, Cauthorn, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Eward, Furnas, Givan, Goudie, Gregory, Hardesty, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Mellett, Miller, North, Ogden, Peed, Pfrimmer, Riggs, Shutt, Smith, Teeter, Tingley, Thompson (of Spencer), Tulley, Whitworth, Willard, Willson (of Ripley), Woollen, Wynn and Mr. Speaker—47.

So the amendment was not adopted.

The question being, shall the bill be ordered to be engrossed?

Messrs. Gifford and Thayer demanded the ayes and neos.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Cauthorn, Cline, Cobb, Coffman, Cole, Cowgill, Eward, Furnas, Givan, Glazebrook, Gronendyke, Hardesty, Hedrick, Heller, Isenhauer, Kimball, King, Kirkpatrick, McKinney, Mellett, Miller, North, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Shirley, Teeter, Tingley, Tulley, Willard, Willson (of Ripley), Woollen and Mr. Speaker—43.

Those who voted in the negative were, Messrs. Barker, Barrett, Blocher, Buskirk, Butterworth, Butts, Clark, Claypool, Crumpacker, Dial, Durham, Eaton, Edwards (of Lawrence), Gifford, Glasgow, Goble, Goudie, Gregory, Hatch, Henderson, Hollingsworth, Jones, Lenfesty, Lent, Martin, McConnell, Odle, Offutt, Reno, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Stanley, Strange, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard and Wynn—49.

So the bill was not ordered to be engrossed.

On motion of Mr. Thompson, of Elkhart, the vote just taken, by which House bill No. 530 was not ordered to be engrossed, was reconsidered.

Whereupon Mr. Thompson, of Elkhart, offered the following amendment:

Amend by striking out the word "twenty," in section 1, and inserting "fifteen" in lieu thereof.

Which amendment was adopted.

On motion of Mr. Cobb, the bill was ordered to be engrossed.

Engrossed Senate bill No. 222 was taken up—a bill making it unlawful for owner or owners, proprietor or proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to

suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Finance Committee of the Senate, with the Committee on Ways and Means of the House of Representatives, have made an examination of the register of redeemed certificates of State stock in the office of the Auditor of State, showing the number and amount of certificates redeemed by the Board of State Debt Sinking Fund Commissioners, during the fiscal years beginning November 1, 1867, and ending October 31, 1872. The redeemed certificates were read and compared in number, date, name, and amount with the register, and found correctly entered and recorded. The certificates numbered in all six hundred and forty-nine, entered upon pages 100 to 119 inclusive of the register—making, in the aggregate, the sum of $3,068,020.67; all of which were destroyed by law, as required by section 5 of the State Debt bill, approved December 21, 1865.

NATHAN KIMBALL,
Ch. Com. on Ways and Means.
M. L. BRETT,
D. C. BRANHAM,
HENRY A. PEED,
JOHN GRONENDYKE,
BENJ. F. TINGLEY.

On motion of Mr. Offutt, Senate bill No. 115 was made a special order for 2 o'clock this afternoon.

Mr. King presented the claim of the Indianapolis Gaslight and Coke Company.

Which was referred to the Committee on Claims.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Offutt offered the following resolution :

WHEREAS, By resolution of this House, the Speaker was authorized and directed to draw his warrant for the per diem and mileage of Patrick H. Lee in full for the present session ; and

WHEREAS, The said Patrick H. Lee has, since the adoption of said resolution, been removed from earth by death and Frederick Lee has been appointed his administrator ; therefore,

Resolved, That the Speaker of this House be and he is hereby authorized and directed, to draw his warrant in favor of the said Fredrick Lee, administrator, for the full per diem and mileage of the said Patrick H. Lee for the present regular session of the General Assembly.

Which resolution was adopted.

Mr. Branham moved to reconsider the vote by which Senate Joint Resolution No. 12 passed.

Mr. Kimball, chairman of the Committee on Ways and Means submitted the following report :

MR. SPEAKER :

The Committee on Ways and Means having had under consideration the present salary of the Adjutant General, recommend that an additional sum of twelve hundred dollars per annum be allowed him as salary and for clerk hire, and ask that this subject may be referred back to the committee with instructions to incorporate the same in the general appropriation bill.

Which report was concurred in.

Mr. Kimball, chairman of the Committee on Ways and Means submitted the following report :

MR. SPEAKER :

The Committee on Ways and Means, to whom was referred

House bill No. 535, making specific appropriation for the year 1873 herewith return the bill with the amendments ordered by the House.

Which report was concurred in, the bill read a second time and recommitted to the Committee on Ways and Means.

Mr. Branham offered the following resolution:

Resolved, That the Senate be requested to return to this House Senate Joint Resolution No. 12.

Which resolution was adopted.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred the general appropriation bill report the same back to the House with the additions thereto by the House.

Which report was concurred in, the bill read a second time and recommitted to the Committee on Ways and Means.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled acts, to-wit:

Enrolled act of the House of Representatives No. 382 entitled, "An act relative to the salary of Superintendent of Public Instruction and the manner of paying the same."

Enrolled act of the House of Representatives No. 493 entitled, "An act to amend section 8 of an act entitled 'An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act,'" approved February 18, 1859.

Enrolled act of the House of Representatives No. 360, entitled

"An act to appropriate one hundred and fifty dollars for the distribution of the report of the Superintendent of Public Instruction."

Enrolled act of the Senate No. 160 entitled, "An act to amend an act to incorporate the Lawrenceburgh Insurance Company," approved February 3, 1832; and the same has been delivered to the Joint Committee on Enrolled Bills.

SPECIAL ORDER.

The special order being the consideration of Senate bill No. 115; said bill was taken up and read a third time.

Mr. Wesner moved to recommit with the following instructions: Recommit to the Committee on Railroads with instruction to strike out the amendments of the Committee on the Judiciary and insert the amendments recommended by the Committee on Railroads with instruction to report in the morning.

Mr. Offutt moved to lay the motion on the table.

The question being, shall the motion to recommit be laid on the table?

Messrs. Offutt and Gifford demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Blocher, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Goble, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Jones, Kirkpatrick, Lenfesty, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reno, Richardson, Rudder, Rumsey, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—57.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Billingsley, Branham, Brett, Broaddus, Bowser, Cole, Cowgill, Eaton, Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Hollingsworth, Isenhauer, Johnson, Kimball, King, Martin, McKinney, Pfrimmer, Reeves, Riggs, Satterwhite, Schmuck, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner and Mr. Speaker—36.

So the motion to recommit was laid on the table.

Mr. Walker moved the previous question.

The question being, shall the previous question be now put?

Messrs. Offutt and Gifford demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Anderson, Barrett, Blocher, Buskirk, Butts, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Ellsworth, Eward, Furnas, Givan, Goble, Goudie, Hedrick, Heller, Jones, Kirkpatrick, Lenfesty, McConnell, North, Odle, Offutt, Peed, Prentiss, Reno, Richardson, Rudder, Scott, Shutt, Spellman, Stanley, Teeter, Tingley, Troutman, Tulley, Walker, Wilson (of Blackford), Willson (of Ripley), Wood and Wynn—46.

Those who voted in the negative were Messrs. Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Cole, Cowgill, Eaton, Edwards (of Lawrence), Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lent, Martin, McKinney, Miller, Pfrimmer, Reeves, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Strange, Thayer, Thompson (of Spencer), Thompson (of Elkhart), Wesner, Whitworth, Willard, Woodard and Mr. Speaker—45.

So the motion prevailed.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Anderson, Baker, Barrett, Billingsley, Blocher, Bowser, Buskirk, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Givan, Goble, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Kirkpatrick, Lenfesty, McConnell, Mellett Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reno, Richardson, Rudder, Rumsey, Scott, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley. Walker, Willard, Wilson (of Blackford) Willson (of Ripley), Wood, Woodard and Woollen—60.

Those who voted in the negative were, Messrs. Barker, Baxter, Branham, Brett, Broaddus, Cole, Eaton, Furnas, Gifford, Glasgow,

Glazebrook, Gronendyke, Hardesty, Hollingsworth, Isenhauer, Jones, Kimball, King, Lent, Martin, McKinney, Pfrimmer, Reeves, Riggs, Satterwhite, Schmuck, Shirley, Thompson (of Spencer), Wesner, Whitworth, Wynn and Mr. Speaker—32.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball presented the claim of the Indianapolis Sentinel Company for $530.40.

Which was referred to the Committee on Claims.

Mr. Kimball presented the claim of the Indianapolis Sentinel Company for $260.

Which was referred to the Committee on Claims.

Mr. Miller introduced House bill No. 540—an act authorizing prosecuting attorneys' to prosecute the pleas of the State before justices of the peace and regulating his compensation.

Which bill was read a first time and referred to the Committee on the Judiciary.

Mr. Smith introduced House bill No. 541—an act fixing the time of holding circuit court in the 13th judicial circuit of this State.

Which bill was read a first time.

Mr. Willson, of Ripley, chairman of the Committee on Insurance submitted the following report:

Mr. Speaker:

Your Committee on Insurance, to whom was recommitted House bill No. 350 entitled, "An act to organize insurance companies and regulate the business of insurance in the State of Indiana"—have had the same under consideration and recommend that the bill be amended as recommended by the majority report of your committee made on the 19th day of February, 1873, and that it be also amended by inserting in place of section 30 the following:

SEC. 30. The Auditor of State shall require each and every insurance company not organized under the laws of this State and doing business therein, to report to his office in the months of January and July of each year, under the oath of its President and Secretary, the gross amount of all premiums received in the State of Indiana, and also of all losses paid within the State for the six months last preceding, ending on the last days of December and June, and the Auditor shall collect from such companies the sum of three dollars on every one hundred dollars of such premiums received, less losses paid within the State. Any company failing or refusing for more than thirty days to render an accurate account as above of all premiums received, and to pay the required tax thereon, shall forfeit one hundred dollars for such offense, and the auditor shall revoke all authority to such company and its agents. All moneys collected by the auditor under the provisions of this section shall be paid by him into the treasury of State on the first day of February and August of each year.

And when so amended your committee recommend the passage of said bill.

Which report was concurred in, the amendments adopted, and the bill as amended read a second time and ordered to be engrossed.

Engrossed Senate bill No. 169 was taken up—a bill authorizing the organization of voluntary associations, and prescribing their duties and powers.

Which bill was read a first time.

Mr. Givan moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Brett, Broaddus, Buskirk, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Givan, Goble, Gregory, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kirkpatrick, Lent, Martin, Mellett, Miller, Offutt, Pfrimmer

Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker —72.

Those who voted in the negative were, Messrs. Furnas, Glasgow, Lenfesty, North and Wilson (of Blackford)—5.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, McConnell, Mellett, Miller, North, Offutt, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard and Mr. Speaker—76.

Those who voted in the negative were, Messrs. Lenfesty, Ogden and Woollen—3.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have this, the 4th day of March, 1873, presented to the Governor Enrolled House bills Nos. 360 and 493, also. No. 382, and Enrolled Senate bill No. 160, for his signature and approval.

Engrossed House bill No. 436 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Branham, Brett, Buskirk, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer, Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—79.

Mr. Lenfesty voting in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 294 was taken up—a bill to amend an act entitled, "An act to provide for a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872, and to repeal certain sections of the same in this act specified.

Mr. Branham moved that the constitutional rule be suspended, and the bill read a first and second time by its title.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Eaton, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Martin, McConnell, McKinney, Mellett, North, Offutt, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—81.

No one voting in the negative.

So the constitutional rule was suspended, the bill was read a first and second time by its title and referred to the Committee on Ways and Means.

Mr. Givan moved to reconsider the vote by which the claim of N. B. Taylor was not allowed.

Engrossed House bill No. 515 was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barker Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Clark, Cobb, Cowgill, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Goudie, Gregory, Gronendyke, Hardesty, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Lent, Martin, McConnell, North, Odle, Offutt, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Tingley, Troutman, Walker, Whitworth, Wilson (of Blackford), Woodard and Wynn—56.

Those who voted in the negative were, Messrs. Anderson, Blocher, Brett, Butts, Cauthorn, Cline, Coffman, Crumpacker,

Ellsworth, Givan, Glazebrook, Goble, Hatch, Jones, McKinney, Mellett, Ogden, Reno and Wood—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

Your Committee on Engrossed Bills, to whom was referred House bills Nos. 515, 539, 528 and 524, have examined the same, and find them in all things correctly engrossed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 34, entitled a bill to amend section 90 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State,'" approved June 17, 1852, and declaring an emergency.

Also, I am directed by the Senate to inform the House that the Senate, with the accompanying engrossed amendments, has passed the following bill, to-wit:

Engrossed House bill No. 8, entitled "A bill to prevent hunting and shooting on enclosed lands without the consent of the owner or occupant thereof, and providing a penalty therefor."

And the same are herewith submitted to the House for its action thereon.

Engrossed House bill No. 528 was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Scott, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—77.

Messrs. Goudie and Tingley voted in the negative.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Smith, House bill No. 541 was taken up.

Mr. Smith moved that the constitutional rule be suspended, the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Coffman, Crumpacker, Edwards (of Lawrence), Eward, Furnas, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, Lenfesty, Lent, McConnell, McKinney, Miller, North, Odle, Offutt, Pfrimmer, Reeves, Richardson, Rudder, Rumsey, Shirley, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—74.

No one voting in the negative.

So the constitutional rule was suspended and the bill read a second time by its title, considered as engrossed, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Coffman, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Ogden, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker —71.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 254 was taken up.

On motion of Mr. Walker, the minority report was laid on the table.

The majority report was taken up and concurred in.

Mr. Baker moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb,

Edwards (of Lawrence), Gifford, Givan, Glazebrook, Goble, Goudie, Hardesty, Hatch, Heller, Hollingsworth, Hoyer, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—73.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cole, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glazebrook, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Hoyer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, North, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—68.

Those who voted in the negative were, Messrs. Durham, Johnson, Peed and Tulley—4.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

Senate bill No. 170 was taken up and read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cobb, Coffman, Cole, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Shirley, Spellman, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—64.

Those who voted in the negative were, Messrs. Barrett, Claypool, Crumpacker, Glasgow, Goudie, Peed, Reeves, Schmuck, Scott, Shutt, Smith, Stanley, Tingley, Tulley, Willard and Wynn—16.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

The Committee on Education, having visited and investigated the condition and wants of the State Normal School of Terre Haute, recommend that the sum of $15,000 be appropriated out of any money in the treasury not otherwise appropriated, subject to the order of the Trustees, of said Institution, to be used towards the completion and support of the School building. The Committee recommend that the Committee on Ways and Means be instructed to insert said appropriation in the specific appropriation bill.

Which report was concurred in.

Mr. Mellett, chairman of the Committee on Education, submitted the following report:

MR. SPEAKER:

The Committee on Education recommend that the Committee on Ways and Means be instructed to insert in the specific appropriation bill the sum of $15,000 for each of the years 1873 and 1874, subject to the order of the Trustees of the State University at Bloomington, to enable them to erect an additional building to meet the wants of said institution.

Which report was concurred in.

The Joint Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have carefully compared enrolled Senate act No. 238, entitled "An act to divide the State into circuits for judicial purposes, fixing the times of holding the courts therein, abolishing the Courts of Common Pleas, and transferring the business thereof to the Circuit Court, and providing for the election of judges and prosecuting attorneys in certain cases," with the engrossed copies, and find the same correctly enrolled.

On motion of Mr. Johnson, House bill No. 572 was taken up, and read a second time.

Whereupon Mr. Johnson offered the following amendment:

"I move to strike out all after the enacting clause of the bill, and in place of the matter so stricken out insert the following: That in all cases where any finding by the Court or verdict of a jury is rendered for the recovery of money, the judgment which may be rendered thereon shall include the amount of the finding, or verdict and interest thereon, from the date when the same was rendered to the date of judgment; and if such recovery be on contract, then the interest on such finding or verdict shall be at the rate specified in such contract, not exceeding ten per cent.; in all other cases at the rate of six per cent.: *Provided, however*, that if any part of such finding or verdict shall be remitted, the judgment shall only include the amount remaining after such remission, and the interest thereon, as hereinbefore provided, from the date of such remission.

Which amendments were adopted.

Mr. Johnson moved that the constitutional rule be suspended, the bill as amended considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cole, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Glasgow, Goudie, Gronendyke, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, North, Odle, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Tingley, Thompson (of Spencer), Troutman, Willard, Wilson (of Blackford), Woollen, Wynn and Mr. Speaker—55.

Those who voted in the negative were, Messrs. Baker, Barker, Barrett, Brett, Eward, Gifford, Givan, Glazebrook, Goble, Hardesty, Hatch, Hedrick, Jones, Offutt, Reno, Rumsey, Stanley, Tulley, Walker, Wesner, Whitworth, Willson (of Ripley), Wood and Woodard—25.

So the constitutional rule was suspended, the bill as amended considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Brett, Broaddus, Buskirk, Butterworth, Clark, Cline, Cole, Cowgill, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Givan, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Heller, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, McConnell, McKinney, Mellett, North, Odle, Pfrimmer, Reeves, Riggs, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Smith, Strange, Teeter, Thayer, Tingley, Troutman, Willard, Wilson (of Blackford), Willson (of Ripley), Woollen, Wynn and Mr. Speaker—57.

Those who voted in the negative were, Messrs. Baker, Butts, Claypool, Furnas, Gifford, Hardesty, Hedrick, Jones, Kirkpatrick, Offutt, Rumsey, Spellman, Stanley, Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wood and Woodard—20.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed with the accompanying engrossed amendments the following bill, to-wit:

Engrossed House bill No. 138 entitled, "A bill to amend the third section of an act entitled, 'An act to authorize cities and towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, and pay debts contracted for erection of such buildings, and authorizing the levy and collection of an additional special school tax for the payment of principal and interest of such bonds,'" approved March 11, 1867.

Also, engrossed Senate bill No. 318 entitled, "A bill to make further provisions for the care and treatment of the insane.

Engrossed Senate bill No. 250 entitled, "A bill to further prescribe the duties of Secretary of State, and to provide for the necessary arrangements, clerks and expenses of his office;" and the same is herewith transmitted to the House of Representatives for its action thereon.

Mr. Wesner presented the claim of the Indianapolis Journal Company for $159.

Which was referred to the Committee on Claims.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof the following enrolled act, to-wit:

Enrolled Senate act No. 238 entitled, "An act to divide the State into circuits for judicial purposes, fixing the time of holding the courts therein, abolishing the courts of common pleas and transferring the business thereof to the circuit court, and providing for the election of judges and prosecuting attorneys in certain cases."

Mr. Gifford, chairman of the Committee on Cities and Towns, submitted the following report:

MR. SPEAKER:

The Committee on Cities and Towns, to whom was referred House bill No. 284—have had the same under consideration, and have directed me to report the same back to the House with a recommendation that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Hardesty, chairman of the Committee on Prisons, submitted the following report:

MR. SPEAKER:

The Committee on the Affairs of State Prisons having made an extended visit to the prisons at Michigan city and Jeffersonville, and having made deligent inquiry regarding such matters as requires the attention of the General Assembly, beg leave to report that the following appropriations are hereby necessary:

Five thousand dollars for the repairs of the Southern Prison.

Three thousand dollars for the purchase of additional clothing for the convicts of the Northern Prison.

Two thousand dollars for such improvements as is necessary to furnish the Northern Prison with water.

Two hundred dollars for the construction of flues in the cooper shops of the Northern Prison.

Five hundred dollars for purchase of books for library of the Northern Prison.

Two hundred dollars for 1873 and two hundred dollars for 1874 additional compensation for Deputy Warden of the Northern Prison.

Two hundred dollars for 1873 and two hundred for 1874 additional compensation for Deputy Warden of the Southern Prison. And the committee recommend that these several amounts be incorporated in the specific appropriation bill.

Which report was concurred in and referred to the Committee on Ways and Means.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 273 entitled, "A bill in relation to the construction of railroads, and legalizing certain acts in connection therewith, and declaratory of the true interest and meaning of the acts of January 30, 1873, in this act mentioned;" and the same is herewith submitted to the House for its action thereon.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

The Committee on Engrossed Bills have compared bills Nos. 484, 521 and 503 with original copies and find them in all things correctly engrossed.

Mr. Offutt moved to take up the motion to reconsider the vote by which Senate bill No. 238 passed the House.

Mr. Butterworth moved to lay the motion to reconsider on the table.

Pending the consideration of which the House on motion of Mr. Willard adjourned until to-morrow at 9 o'clock.

This journal was read in the hearing of the committee, and found to be correct.

W. K. EDWARDS, Speaker.

WEDNESDAY MORNING.

March, 5, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

On motion of Mr. Wood, the reading of the journal of yesterday was dispensed with.

Engrossed House bill No. 530 was taken up, read a third time and put upon its passage.

Mr. Cauthorn moved a call of the House.

Which motion prevailed.

Those who answered to their names were, Messrs. Auderson, Baker, Baxter, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Claypool, Cline, Coffman, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—76.

On motion of Mr. Furnas, further proceedings under the call were dispensed with.

The question recurring on the passage of House bill No. 530,

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Crumpacker, Durham, Edwards (of Lawrence), Furnas, Gifford, Givan, Glasgow, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Jones, Kimball, King, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Wesner, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—63.

Those who voted in fhe negative were, Messrs. Baker, Barker, Blocher, Buskirk, Claypool, Coffman, Eaton, Ellsworth, Glazebrook, Goble, Goudie, Gregory, Hatch, Isenhauer, Lenfesty, Martin, Offutt, Peed, Reno, Richardson, Shirley, Shutt, Smith, Thayer, Walker, Whitworth and Willard—27.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

Mr. Cauthorn presented the claim of Robert P. Davidson for cost and expenses incurred in contesting the seat of O. R. Weakley, for $375.

Which was referred to the Committee on Claims.

The Speaker announced the following as his decision in relation to Senate bill No 238.

Senate bill No. 238 was passed by this House with amendments, which was reported as having been concurred in, when a motion was made to reconsider the vote on its passage.

The motion to reconsider was made in time, and may be entertained, notwithstanding the papers have gone out of the possession of the House. The usual course in case of a motion to reconsider is, when the papers have been sent to the Senate, to send a message to the body requesting their return.

It is a general rule that it is not competent to proceed upon a bill or other paper which is not in the possession of the House.

Mr. Cauthorn appealed from the decision of the chair, and submitted the following as his appeal:

The Speaker of the House of Representatives having decided that a motion to reconsider the vote of the House on the passage of a bill which originated in the Senate, and passed by the Senate, and sent to the House for action and amended by the House and legally and properly passed by the House as amended, and then returned by the House as amended to the Senate, and the said amendment of the House concurred in by the Senate, was in order while the said bill was in possession of the Senate, the undersigned respectfully appeal from said decision to the House.

HENRY CAUTHORN,
ROBERT GREGORY.

The question being, shall the decision of the chair be sustained?

Messrs. Cauthorn and Offutt demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Blocher, Branham, Brett, Broaddus, Butts, Clark, Coffman, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Rudder, Rumsey, Scott, Strange, Teeter, Thayer, Thompson (of Elkhart), Tingley, Walker, Whitworth, Wilson (of Blackford) and Wynn—49.

Those who voted in the negative were, Messrs. Barker, Barrett, Billingsley, Buskirk, Butterworth, Cauthorn, Claypool, Cline, Cobb, Cowgill, Crumpacker, Eaton, Givan, Glasgow, Glazebrook, Goble, Gregory, Hatch, Hoyer, Isenhauer, McConnell, McKinney, Peed, Pfrimmer, Richardson, Riggs, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Thompson (of Spencer), Tulley, Wesner, Willard, Willson (of Ripley, Wood, Woodard and Woollen—41.

So the decision of the chair was sustained.

Mr. Woodard moved that the House adjourn.

The question being, shall the House adjourn?

Ten members demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Claypool, Gronendyke, Jones, Kimball, Odle and Willard—9.

Tnose who voted in the negative were, Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—83.

So the House did not adjourn.

Mr. Woollen moved to lay the motion to reconsider the vote by which Senate bill No. 238 passed House on the table.

The question being, shall the motion to reconsider the vote by which Senate bill No. 238 passed the House be laid on the table?

Messrs. Offutt and Thompson, of Elkhark, demandet the ayes and noes.

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Branham, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Gregory, Hatch, Hoyer, Isenhauer, Kirkpatrick, Lenfesty, McConnell, McKinney, North, Peed, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Willard, Willson (of Ripley), Wilson (of Blackford), Wood, Woodard, Woollen and Wynn—57.

Those who voted in the negative were, Messrs. Anderson, Baker, Blocher, Brett, Broaddus, Coffman, Durham, Ellsworth, Gifford, Goudie, Gronendyke, Hardesty, Heller, Hollingsworth, Johnson, Jones, Kimball, Martin, Mellett, Miller, Odle, Offutt, Ogden, Prentiss, Reno, Rumsey, Smith, Strange, Teeter, Thayer, Tingley, Wesner, Whitworth and Mr. Speaker—35.

So the motion to re-consider was laid on the table.

Mr. Baker moved to re-consider the vote by which Senate bill No. 115 passed the House.

Mr. Offutt moved to lay the motion to re-consider on the tabble.

The question being, shall the motion of Mr. Baker, to re-consider the vote by which Senate bill No. 115 passed the House, be laid on the table?

Messrs. Buskirk and Furnas demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Blocher, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Giavn, Glazebrook, Goudie, Gregory, Hatch, Hedrick, Heller, Hoyer, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Peed, Reno, Richardson, Rudder, Schmuck, Scott, Shutt, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Troutman, Tulley, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen and Wynn—59.

Those who voted in the negative were, Messrs. Baker, Barker, Baxter, Billingsley, Branham, Brett, Cole, Cowgill, Gifford, Glasgow, Gronendyke, Hardesty, Hollingsworth, Isenhauer, Johnson, Kimball, King, Pfrimmer, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Thayer, Tingley, Thompson (of Spencer), Wesner, Whitworth, Willard and Mr. Speaker—30.

So the motion to re-consider was laid on the table.

The Committee on Engrossed Bills submitted the following report:

Mr. Speaker:

Your Committee on Engrossed Bills, to whom was referred

House bills Nos. 428, 476, 523, 67, 509, 457, 256 and 530, have carefully examined the same and find them in all respects properly engrossed.

Mr. Cole presented the claim of O. K. Weakly.

Which was referred to the Committee on Claims.

SPECIAL ORDER.

The special order being the consideration of engrossed Senate bill No. 292, said bill was taken up and read a second time.

Mr. Shirley offered the following amendment:

Amend section 2 as follows, to-wit: And it shall be the further duty of such Clerk of the Supreme Court to keep a cash book, in which he shall enter consecutively and record each sum of money by him received, including all docket fees, with a date of such receipt, with a brief mention of the cause in which it was received, which book so kept shall remain at all times at his office for inspection.

On motion of Mr. Willson, of Ripley, the amendment was laid on the table.

Mr. Lenfesty offered the following amendment:

Amend by adding to section 4, "To rating, approving and recording official bonds of county and township officers, one dollar; taking and approving bond in attachment, fifty cents; entering satisfaction of mortgage, one-half be paid to Recorder fifty cents; entering each cause in order book, judgment docket and fee docket, each, five cents."

On motion of Mr. Cobb, the amendment was laid on the table.

Mr. Thayer offered the following amendment:

Amend section 4, line 33, "when the same contains over 5,000 words, two cents per one hundred words."

On motion of Mr. Baker, the amendment was laid on the table.

Mr. Edwards, of Lawrence, offered the following amendment:

Strike out all of section 5, after line 4, and insert the following: "Five per centum on the first twenty-five thousand dollars of taxes collected, four percentum on the next ten thousand dollars, three per centum on the next five thousand dollars, two per centum on the next five thousand dollars, and all sums thereafter one per centum; also, five per centum on all delinquent taxes collected, when paid voluntarily and without levy, and ten per centum if paid after levy; and treasurers shall also be allowed the same fees and charges, except mileage, for making distress and sale of goods and chattels for payment of taxes as may be allowed by law to constables for making levy and sale of property on execution, and for his services in going to and returning from Indianapolis, to make deposits with the Treasurer of State, and to make their annual settlement with that office, shall be allowed mileage for the number of miles from each county, respectively, as now allowed by law. For recovering and disbursing all funds other than taxes and school funds and funds owing from the sale of county bonds, they shall receive five per centum: *Provided, however*, That the treasurer shall only receive one per centum for receiving and disbursing money borrowed by the county."

Which amendment was adopted.

Mr. Clark offered the following amendment:

Amend section 6 by adding the following proviso, namely: "*Provided*, That for all cases of service for private corporations, shall pay to the county auditor the same fees as are allowed by this bill by the counties for similar services, and said auditor shall charge said corporation with said fee and collect the same as in other cases of debt.

On motion of Mr. Schmuck, the amendment was laid on the table.

Mr. Thayer offered the following amendment:

Amend section 6, line 24; strike out "three cents" and insert "five cents;" line 25, strike out "three cents" and insert "five cents."

On motion of Mr. Thompson, of Elkhart, the amendment was laid on the table.

Mr. Thayer offered the following amendment:

Amend line 31, section 6, by striking out "three hundred," and insert "five hundred."

On motion of Mr. Shutt the amendment was laid on the table.

Mr. Givan offered the following amendment:

Amend section 6 by striking out the word "official," in line 22, printed bill.

Which amendment was adopted.

Mr. Thayer offered the following amendment:

Amend section 8, line 8, by striking out "three" and inserting "five."

On motion of Mr. Schmuck the amendment was laid on the table.

Mr. Lenfesty offered the following amendment.

Amend section 8 as follows: For holding court, the sum of three dollars per day; for serving notice upon viewers of highways, each twenty-five cents and mileage as above.

On motion of Mr. Smith the amendment was laid on the table.

Mr. Wilson offered the following amendment:

Amend section 8 by striking out lines 18 and 19, and inserting the following: "selling property on execution a commission of five per centum on the first three hundred dollars and two and one-half per centum on any excess above that amended."

Which amendment was not adopted.

Mr. Thayer offered the following amendment:

Amend section 8, line 44, strike out "sixty cents" and insert "seventy-five cents."

Which amendment was not adopted.

Mr. Shirley offered the following amendment:

MR. SPEAKER:

Move to amend Senate bill No. 292 as follows to section 9, viz:

Provided, That the plaintiff in any actions of proceeding may procure the necessary notice by publication, and pay the printer therefor and file his receipt with the clerk, and the clerk shall tax the amount so paid as a part of the cost to be paid by the party against whom judgment for such cost is rendered.

Which amendment was not adopted.

Mr. Satterwhite offered the following amendment:

MR. SPEAKER:

I move to strike out section 12.

On motion the amendment was laid on the table.

Mr. Eward offered the following amendment:

Move to amend section 13 at the end of line three, by striking out the words "per mile."

Which amendment was not adopted.

Mr. Butterworth offered the following amendment:

Amend section 22 by striking out "ten dollars," and insert "five dollars" in place thereof.

On motion of Mr. Walker, the amendment was laid on the table.

Mr. Shirley offered the following amendment:

Amend section 23 by adding the following proviso: *Provided*, That the cost of such inquest, if procured at the instance of the friends and relations of the deceased, such cost shall be paid out of the estate of such deceased if any; if by any other person or corporation, then at the cost of such person or corporation; if procured by the State, than at the cost of the county where such inquest is held.

On motion of Mr. Walker, the amendment was laid on the table.

Mr. Givan offered the following amendment:

Amend section 27: *Provided*, In any county in which the fees of the auditor, clerk and sheriff do not amount to one thousand dollars each, it shall be lawful for the board of commissioners of said county to allow to said officers annually out of the treasury of said county a sum not to exceed three hundred dollars each.

Which amendment was adopted.

Mr. Givan offered the following amendment:

Amend section 35, line one, by striking the word "five" and insert "six."

On motion of Mr. Mellett, the amendment was laid on the table.

Mr. Shirley offered the following amendment:

Amend by adding the following section No. 42:

SEC. 42. Every public officer, State, county, township, city or town having the custody of any public trust or school money fund, bond or obligation whatever, shall account and be liable for all interest, profit, income or bonus they may receive from any loan, deposit, or use thereof in the same manner, and to the same extent as they are required to account for, and are held liable for the principal of such money, funds, bonds, or obligations, whether received during their term of office or thereafter, and every such officer shall at each time he is required to make settlement, report, or render account for the principal aforesaid, shall also render a strict account therewith of any such loan, deposit, or use thereof to the correctness whereof he shall be duly sworn; and the person, board, body, court, or authority, to which such officer is by law required to report, may examine such person under oath in relation to any and all such loans, deposits, or use of such principal, and if any such officer shall fail or refuse to submit to such examination, or to answer any questions in regard thereto, or fail and refuse to pay over and account for all or any interest, bonds, or profit received upon such principal, he shall be deemed to be guilty of a misdemeanor, for which he shall be fined in any sum not to exceed $500, to which may be added imprisonment in the county jail for any period not to exceed ninety days.

Which amendment was adopted.

On motion of Mr. Hatch, the vote by which the amendment to section 27, proposed by Mr. Givan, was adopted, was reconsidered.

On motion of Mr. Mellett the amendment was laid on the table.

Mr. Offutt offered the following amendment:

In line sixty strike out "two dollars" and insert "three dollars."

Mr. Butts offered the following amendment:

Amend section 12 by striking out "July 1873," and insert in lieu thereof "January 1874."

On motion of Mr. Tingley the amendment was laid on the table.

Mr. Kirkpatrick offered the following amendment:

Amend section 18, in line nine, by inserting "one dollar and fifty cents" instead of "one dollar."

Which amendment was not adopted.

Mr. Givan offered the following amendment:

Amend section 6, line 3, by striking out the word "four," and inserting "three" in lieu thereof.

On motion of Mr. Cowgill, the amendment was laid on the table.

Mr. Woodard moved to reconsider the vote by which the amendment to section 42, proposed by Mr. Shirley, was adopted.

Mr. Shirley moved to lay the motion to reconsider on the table.

The question being, shall the motion to reconsider the vote by which the amendment to section 42, proposed by Mr. Shirley, was adopted, be laid on the table?

Messrs. Shirley and Offutt demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Claypool, Coffman, Givan, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Jones, McConnell, Offutt, Peed, Reno, Richardson, Rudder, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Teeter, Tulley, Wood and Woollen—26.

Those who voted in the negative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Crumpacker, Durham, Eaton, Ellsworth, Eward, Gifford, Glasgow, Goble, Hardesty, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, McKinney, Mellett, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Schmuck, Stanley, Strange, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Woodard, Wynn and Mr. Speaker—60.

So the motion to reconsider was not laid on the table.

The question being, shall the amendment be adopted?

Mr. Mellett moved to lay the amendment on the table.

Messrs. Shirley and Mellett demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Butterworth, Butts, Clark, Cline, Cobb, Cole, Crumpacker, Durham, Ellsworth, Eward, Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McKinney, Mellett, North, Ogden, Pfrimmer, Reeves, Riggs, Rumsey, Schmuck, Scott, Spellman, Strange, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Willson (of Ripley), Wood, Woodard and Wynn—

Those who voted in the negative were, Messrs. Claypool, Coffman, Eaton, Givan, Goble, Goudie, McConnell, Miller, Odle, Offutt, Peed, Reno, Richardson, Rudder, Satterwhite, Shirley, Shutt, Smith, Stanley, Teeter, Thompson (of Elkhart), Tulley, Woollen and Mr. Speaker—24.

So the amendment was laid on the table.

Mr. Thayer offered the following amendment:

Amend section 6: Strike out of line 4 the words "receipts for road taxes and assessor's return."

On motion of Mr. Mellett the amendment was laid on the table.

Mr. Peed offered the following amendment:

Amend section 4 as follows: And for each certificate issued to persons who have paid railroad tax as required by the act approved December 17, 1872, to be paid by the applicant.

On motion of Mr. Schmuck, the amendment was laid on the table.

On motion of Mr. Wynn the amendments were considered as engrossed, the bill as amended read the third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck Scott, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker —82.

Those who voted in the negative, were Messrs. Coffman, Glasgow Goudie, Miller, Shirley, Thompson (of Elkhart) and Tulley —7.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker announced that he had signed Enrolled Senate act No. 238.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled joint resolution (Senate) No. 12, also enrolled Senate bill No. 50, also, enrolled Senate bill No. 69, with the engrossed copies thereof, and find that they are correctly enrolled.

Also, Senate enrolled act No. 10, and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying engrossed amendments thereto, the following bill, to-wit:

Engrossed House bill No. 355, entitled—a bill to authorize the Auditor of Scott county to correct the report made to the Superintendent of Public Instruction relating to the school fund, common and congressional, as required by an act entitled "An act requiring county auditors to make examination of the records in their offices in relation to school funds and make report, and providing compensation therefor," approved December 21, 1865, and declaring an emergency.

And the same is herewith returned to the House.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills to-wit:

Engrossed Senate bill No. 300, entitled—a bill for the relief of the Lye Creek Draining Association.

Engrossed Senate bill No. 231, entitled—a bill to amend an act entitled "An act to amend an act granting to the citizens of the town of Evansville a city charter," approved Feb. 4, 1858.

Engrossed Senate bill No. 305, entitled—a bill to incorporate trustees selected by any religious society for educational, benevo-

lent or charitable purposes, and enable them to receive and hold real and personal property for such purposes.

Engrossed Senate bill No. 206, entitled—a bill to encourage agriculture and agricultural fairs by the purchase and improvement of fair grounds.

Also, that the Senate has passed the following joint resolution, to-wit:

Engrossed Senate Joint Resolution No. 11, entitled—a joint resolution instructing our Senators and requesting our Representatives in Congress to use all proper means to secure the establishment of a District Court for Northern Indiana, at the city of Fort Wayne. Also a distributing Post Office at said city, and obtain an appropriation for the erection of a suitable building for the purpose contemplated by said resolution.

Engrossed Senate Joint Resolution No. 16, entitled—a joint resolution in relation to railroad companies and corporations, and defining the duties and giving directions to the Attorney General as to suits and proceedings now pending and which may hereafter be brought.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act, to-wit:

Enrolled act of the Senate No. 238, entitled—an act to divide the State into circuits for judicial purposes, fixing the time of holding conrts therein, abolishing the Courts of Common Pleas, and transferring the business thereof to the Circuit Courts and providing for the election of Judges and Prosecuting Attorneys in certain cases.

And the same has been delivered to the Joint Committee on Enrolled Bills.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 489, entitled—a bill to amend section 5 of an act entitled "An act to incorporate the town of Huntington," approved Feb. 16, 1848.

The same is herewith returned to the House.

Engrossed Senate bill No. 126, entitled—a bill to amend section 1 of "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties and those of county and township officers in relation thereto," approved March 5, 1859.

And the same is herewith submitted to the House for its action thereon.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Enrolled Senate bill No. 156 with the engrossed copy and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 69, entitled—an act authorizing and empowering cities incorporated under any general law of this State for the incorporation of cities, and owning real estate, to sell and convey the same in whole or in parcels, as the Common Council of such city or cities may deem expedient, and prescribing in what manner the same may be conveyed, and declaring an emergency.

Enrolled Senate act No. 50, entitled—an act supplemental to the act entitled "An act dividing the State into counties, defining their boundaries and defining the jurisdiction of such as border on the

Ohio and Wabash rivers," approved June 7, 1852, so as to define the boundary between the counties of Washington and Clarke.

Enrolled act of the Senate No. 10, entitled—an act to amend section 58 of an act entitled " An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 4, 1867, and declaring an emergency.

Enrolled act of the Senate No. 156, entitled—an act to authorize cities constructing water works to issue bonds and to dispose of the same in aid of the construction of said water works.

Also, Enrolled Senate Joint Resolution No. 12, entitled—a joint resolution confirming the purchase of additional grounds whereon to erect a new State House.

The Speaker announced that he had signed enrolled Senate acts Nos. 69, 50, 10 and 156.

Mr. Branham, by consent of the House, withdrew his motion to re-consider Senate joint resolution No. 12.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have, this 5th day of March, 1873, presented to the Governor for his signature and approval, Senate enrolled bill No. 238, entitled " An act to divide the State into circuits for judicial purposes."

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Engrossed House bill No. 8 and the following Senate amendments thereto were taken up.

Engrossed Senate amendment to House bill No. 8. Amend section 1, in line 3, by inserting after the words, "who shall be guilty of," and strike out the word, "found," in said line.

Amend line 4 by inserting after the word "with," the words, "a dog or."

Amend line 5 by inserting after the words "fire-arms or."

Amend line 4 by inserting after the word "or," the words, "hunting or."

Insert in line 4 of the proviso to the first section, after the word "of," in said line, the words, "the consent of."

Also, strike out the third section of the bill, the emergency clause.

Which amendments were concurred in.

House bill No. 355 and the following engrossed Senate amendments thereto were taken up:

Engrossed Senate amendments to engrossed House bill No. 355: "and whereas, the auditor of the county of Wayne failed to report the sum of three thousand two hundred and fifty dollars and twenty cents losses of surplus revenue prior to the year 1843."

Amend section 1 by adding after the word "Scott," in line 3 "and the auditor of the county of Wayne."

Strike out the letter "y" from the last word of the fifth line of section 1, and insert the letters, "ies."

Amend the title so as to read as follows: "A bill authorizing the auditors of Scott and Wayne counties to correct the reports made to the Superintendent of Public Instruction, relating to the school fund, common and congressional, as required by an act entitled 'An act requiring county auditors to make examination of the records in their offices in relation to school funds and make report, and providing compensation therefor,'" approved December 21, 1865, and declaring an emergency.

Which amendments were concurred in.

House bill No. 138, and the following Senate amendments thereto, were taken up :

Engrossed amendments of the Senate to House bill No. 138: Strike out all after the enacting clause and insert the following :

That any city or incorporated town in this State which shall, by the action of its school trustee or trustees, have purchased any ground and building or buildings, or may hereafter purchase any ground and building or buildings, or have commenced or may hereafter commence the erection of any building or buildings for school purposes, or which shall have by its school trustee or trustees contracted any debts for the erection of such building or buildings, or the purpose of such ground and building or buildings, and such trustee or trustees shall not have the necessary means with which to complete such building or buildings, or to pay for the purchase of such ground and building or buildings, or pay such debt, may, on the filing by the school trustee or trustees of said city or incorporated town of a report under oath with the common council of such city or the board of trustees of such incorporated town, showing the estimated or actual cost of any such ground and building or buildings, or the amount of such debt, or the passage of an ordinance authorizing the same by the common council of said city or the board of trustees of such incorporated town, issue th bonds of such city or town to an amount not exceeding in the aggregate fifty thousand dollars in denomination not less than one hundred nor more than one thousand dollars, and payable at any place that may be designated in the bonds, the principal in not less than one year nor more than twenty years after the date of such bonds, and the interest anually or semi-annually, as may be therein provided, to provide the means with which to complete such building or buildings, or to pay for the purchase of such ground and building or buildings, and to pay such debts, and such common council or board of trustees may from time to time negotiate and sell as many of such bonds as may be necessary for such purpose, in any place and for the best price that can be obtained therefor in cash : *Provided*, That such bonds shall not be sold at a price less than ninety four cents on the dollar.

Sec. 2. The proceeds of the sales of such bonds shall be paid to the said school trustee or trustees, to enable them to erect or com-

plete such building or buildings and pay such debts, but before payment to them, such school trustees shall file with the county auditor a bond payable to the State of Indiana in a sum not less than the full amount of the said money so to be paid to them, and with security to be approved by said auditor, conditioned for the faithful and honest application of such money to the purpose for which the same was provided, and such trusee or trustees and their surety or sureties shall be liable to suit on such bond for any waste misapplication or loss of such money in the same manner as now provide for waste or loss of school revenue.

Sec. 3. In addition to the levying the tax by cities or incorporporated towns, for general purposes, now authorized by law, the common council of any such cities, and board of trustees of any such incorporated town as shall avail themselves of the provisions of this act, are hereby authorized and required to levy annually a special additional tax, in the same manner as other taxes of such city or town are levied, sufficient to pay the interest and principal of said bonds falling due, which additional special tax shall be assessed and collected, and the treasurer of such city or town shall keep accounts of the revenue arising from such special tax, and shall in his reports, and when required by the city or town authorities, show the amount thereof received, the amount disbursed and the amount thereof, if any, remaining delinquent; he shall pay out the same only by the authority of the common council of such city or board of trustees of such town, and shall permit the same to be applied to no other purpose than the payment of principal and interest of such bonds, and official bonds of city and town trustees shall be construed to conclude revenue arising from this source. Persons residing outside of any such city or town, and electing to be transferred to such town and city for educational purposes, or who shall send their children to the school taught in any such building, shall, with their property, be liable to such taxes, as if they resided in such city or town, on all property owned by said person in the township where such city or town is located: *Provided always*, That the additional special tax hereby authorized shall not in any one year exceed fifty cents on each one hundred dollars of taxable property and one dollar on each poll.

Sec. 4. All bonds and contracts made and debts created pursuant to the acts of March 11, 1867, and May 15, 1869, relating to the

same subject as this act are hereby legalized and declared valid, and the taxes to pay any such bonds, contracts, or debts and interest thereon shall be assessed and collected in accordance with this act.

SEC. 5. An emergency existing for the immediate taking effect of this act, it shall be in force from and after its passage.

Also, amend by striking out the title thereof and insert the following: "A bill for an act to authorize cities and towns to negotiate and sell bonds to procure means with which to erect and complete unfinished school buildings, and to purchase any ground and building for school purposes, and to pay debts contracted for such erection and purchase of buildings and grounds and authorizing the levy and collection of an additional special school tax for the payment of said bonds."

Which amendments were concurred in.

House bill No. 88 and the Senate amendments thereto were taken up; also, engrossed Senate amendments to House bill No. 87:

Amend section one by striking out of line ten the word "July," and insert in lieu thereof the word "April."

Also, amend section 11 by striking out all between the end of the fifth line and the word "which" in line nine, and insert in lieu thereof the following: "for their services while actually engaged in the duties of their office five dollars per day, and five cents per mile for each mile necessarily travelled while so engaged."

Which amendments were concurred in.

House bill No. 55 and the following Senate amendments thereto were taken up:

Engrossed Senate amendments to House bill No. 55:

Amend section 2 by striking out the word "triennially" in line 8, page 3, and insert in lieu thereof the word "biennially."

Further amend section 2 by striking out the word "such" in line 3, page 5, and insert in lieu thereof the word "the."

Further amend section 2 by striking out of lines 10 and 11, page 3, these words, "and an experienced and successful teacher."

Amend section 2 by adding the following words to said seventeen: "Whenever a vacancy shall occur in the office of the county superintendent by death, resignation, or removal, the said trustees on the notice of the county auditor shall assemble at the office of the said auditor and fill such vacancy for the unexpired portion of the term in the manner herein provided, and the county auditor shall be clerk of such election in all cases, and give the casting vote in case of a tie, and shall keep the record of such election in a book to be kept for that purpose."

Amend section 4 by striking out after the word "year" in line 3, page 9, these words, "and as much oftener as he may deem it necessary."

Also, amend section 4 by adding after the word "superintendent" in line 10 and 11, page 10, the following: *Provided*, That nothing in this act shall be so construed as to change or abridge the jurisdiction of any court in cases arising under the school laws of this State, and the right of any person to bring suit in any court in any case arising under the school laws shall not be abridged by the provisions of this act.

Also, amend section 9 by adding to said section these words, "unless such absence shall be occasioned by sickness."

Also, Amend section 10 by adding the following to said section: *Provided*, The school examiners of the several counties in this State shall discharge their duties until a superintendent shall be elected and qualified under this act.

Which amendments were concurred in.

The following Senate concurrent resolution was taken up:

WHEREAS, There are now on deposit in the office of the State Librarian a large number of volumes of the report of the Adjutant General of the State of Indiana, and in their present condition they are entirely useless; therefore, be it

Resolved by the Senate the House of Representatives concurring therein, That the State Librarian is hereby authorized to dis-

tribute said reports, one set to each member, one set to each clerk, and one set to each doorkeeper of the Senate and House of this General Assembly.

Which resolution was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Claims, to whom was referred the claim of A. J. Mankin—have had the same under consideration and direct me to report the same back with the recommendation that the same be not allowed.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Everson and Jenkins for rent of room two months, $45—have had the same under consideration, and direct me to report the same back with the recommendation that the same be allowed; refer the same to the Committee on Ways and Means to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of D. M. Dryden and James Howard for repairs made on gun boat Chilicothe, amounting to $374.24—have had the same under consideration, and have directed me to report the same back with the recommendation that the same be not allowed.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of William J. Wallace, for costs in Kirk vs. Baker, amounting to the sum of $1,240, have had the same under consideration, and have directed me to report the same back recommending its allowance in full.

Which report was concurred in.

Mr. Riggs, chairman of the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of the Indianapolis Gaslight and Coke Co., for $132.40, have had the same under consideration, and direct me to report the same back with the recommendation that the same be allowed and refer the same to the Committee on Ways and Means, to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Committee on Claims, to whom was referred the claim of Samuel A. Harrow, have had the same under consideration, and have directed me to report the same back without recommendation.

Which claim was allowed.

Mr. Cobb, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim

of Edwin May for architectural services for ths Northern Prison, for $5,000, have had the same under consideration, and direct me to report the same back without recommendation.

Which report and claim, on motion of Mr. Gregory, was laid on the table.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared Senate enrolled act No. 170 with the engrossed copy and find the same correctly enrolled.

Mr. Woodard presented the claim of the Singer Manufacturing Company.

Which was referred to the Committee on Claims.

Mr. Shutt, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Anthony Davis, as janitor, thirty-two days, $160, have had the same under consideration, and direct me to report the same back with the recommendation that it be allowed in full of all demands, refer the same to the Committee of Ways and Means, to be incorporated in the specific appropriation bill.

Which report was concurred in.

Mr. Shutt, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The committee to whom was referred the claim of Patrick Shannon, for services as Agent of State, amounting to $5,000, have had the same under consideration, and have directed me to report the same back with the recommendation that the same be not allowed.

The question being, shall the report be concurred in?

Messrs. Offutt and Gregory demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Buskirk, Butterworth, Butts, Clark, Cobb, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Glasgow, Glazebrook, Goudie, Hardesty, Hatch, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, King, Kirkpatrick, Lenfesty, Miller, North, Odle, Ogden, Prentiss, Reeves, Reno, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Teeter, Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Wood, Woodard, Woollen and Wynn—51.

Those who voted in the negative were, Messrs. Baker, Barker, Bowser, Brett, Cauthorn, Claypool, Cline, Coffman, Durham, Givan, Goble, Gregory, Kimball, Martin, McConnell, McKinney, Offutt, Pfrimmer, Richardson, Riggs, Rudder, Shirley, Stanley, Strange, Whitworth, Willard and Mr. Speaker—27.

So the report was concurred in.

Mr. Cauthorn was granted leave to withdraw said claim.

Mr. Lenfesty, from the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of the Indianapolis Sentinel Company, for $260, have had the same under consideration, and direct me to report the same back without recommendation.

On motion of Mr. Mellett, the claim was laid on the table.

Mr. Lenfesty, from the Committee on Claims, submitted the following report:

Mr. Speaker:

The Joint Committee on Claims, to whom was referred the claim of the Indianapolis Journal Company for $159, have had the same under consideration, and direct me to report the same back without recommendation.

On motion of Mr. Shutt, the claim was laid on the table.

Mr. Lenfesty, from the Committee on Claims, submitted the following report:

MR. SPEAKER:

The Joint Committee on Claims, to whom was referred the claim of Lester L. Norton, for sixty days' services as janitor, have had the same under consideration, and direct me to refer the same back without recommendation.

Mr. Peed moved to lay the claim and report on the table.

Messrs. Peed and Gregory demanded the ayes and noes.

The question being, shall the claim and report be laid on the table?

Those who voted in the affirmative, were Messrs. Barrett, Cauthorn, Clark, Claypool, Coffman, Edwards (of Lawrence), Eward, Givan, Glazebrook, Goble, Gregory, Hedrick, Hoyer, Martin, Offutt, Peed, Reno, Richardson, Rudder, Shutt, Smith and Tulley—21.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Cobb, Cowgill, Crumpacker, Ellsworth, Furnas, Goudie, Gronendyke, Hatch, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball King, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—61.

So the report and claim was not laid on the table.

On motion of Mr. Mellett the sum of $100 was allowed.

Mr. Branham presented the following claim:

INDIANAPOLIS, March 5, 1873.

State of Indiana, to John Maloney, Dr:

To services as janitor of Committee Rooms, forty-five days, at $1.50 per day..... .....$67 50

Which claim was allowed.

Mr. King moved to take up the motion and reconsider the vote by which the claim of N. B. Taylor was not allowed.

Which motion prevailed.

Mr. Walker moved to lay the motion to reconsider on the table.

The question being, shall the motion to reconsider be laid on the table?

Messrs. Walker and Gifford demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Barker, Butterworth, Butts, Clark, Cowgill, Crumpacker, Eward, Furnas, Gifford, Goudie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, Mellett, Miller North, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Rudder, Scott, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford,) Wood, Wynn and Mr. Speaker—46.

Those who voted in the negative, were Messrs. Anderson, Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Cauthorn, Cline, Cobb, Coffman, Cole, Durham, Edwards (of Lawrence,) Ellsworth, Givan, Glazebrook, Gregory, Isenhauer, Johnson, McKinney, Odle, Offutt, Ogden, Reno, Riggs, Rumsey, Schmuck, Shirley, Shutt, Smith Spellman, Stanley, Strange, Teeter, Thayer, Whitworth, Willard, Woodard and Woollen—41.

So the motion to reconsider was laid on the table.

Mr. Taylor was granted leave to withdraw his claim.

Mr. Brett, from the Committee on Public Buildings, submitted the following report:

Mr. Speaker:

The Joint Committee on Public Buildings, have directed me to report to the House of Representatives, that on examination of the State House they find that some repairs are necessary for the protection of the outer wall and columns of said building, and recom-

mend that an appropriation of $1,500 be made for that purpose, and that such repairs be made under the direction of the Secretary of State.

Which report was concurred in.

The following message was received from the Senate, by the Secretary thereof.

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying amendments, the following bill, to-wit:

Engrossed House bill No. 526, entitled "A bill for an act to provide for public printing and binding."

Also, that the Senate has passed, with the accompanying engrossed amendments, the following bill, to-wit:

Engrossed House bill No. 44, entitled "A bill to provide for the crossing of Railroads, the keeping in repair such crossing and providing for the expense thereof," and the same are herewith returned to the House.

Also, I am directed by the Senate to inform the House that the Senate has passed the following bill to-wit:

Engrossed Senate bill No. 333, entitled "A bill for the relief of the indigent cripples of the State of Indiana."

Engrossed Senate bill No. 342, entitled a bill for an act to repeal section 55 of an act entitled "An act making specific appropriations for the years 1871 and 1872," approved December 21, 1872

Also, the following joint resolution, to-wit:

Engrossed Senate joint resolution No. 18, entitled "A joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to prevent the passage of a law requiring publishers of weekly newspapers to pre-pay postage on their publications in the counties where printed," and the same are herewith submitted to the House of Representatives for its action thereon.

Mr. Kimball, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means to whom was referred House bill No. 535, making specific appropriations, herewith return the same with the following amendment, and after being so amended, recommend its passage: "Whereas, an emergency exists for the immediate taking effect of this act, the same shall therefore take effect and be in force from and after its passage."

Which report was concurred in.

Mr. Kimball, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means to whom was referred the report of the State officers on the enlargement of the State House grounds, herewith return the report, and recommend that it be laid on the table.

Which report was concurred in.

Mr. Kimball, Chairman of the Committee on Ways and Means, submitted the following report:

MR. SPEAKER:

The Committee on Ways and Means to whom was referred the communication from the President of the Chicago Law Institute, herewith return the same and recommend that it be placed in the Journal of the House.

OFFICE OF SECRETARY OF STATE,
INDIANAPOLIS, February 27, 1873.

Hon. W. K. Edwards:
Speaker of the House of Representatives:

SIR—I have the honor to transmit herewith, as per request the response of the Chicago Law Establishment to the concurrent

resolution of the General Assembly, confirming a donation of books made by the Governor and Judges of the Supreme Court.

Your obedient servant,

W. W. CURRY,

Secretary of State.

CHICAGO, ILLINOIS, February 14, 1873.

Hon. W. W. Curry, Secretary of State of Indiana, Indianapolis, Indiana:

SIR:—Your communication of 30th ult., transmitting to Hon. S. B. Gookins copy of the recent joint resolution of the General Assembly of Indiana, sanctioning the resolution by the Chicago Law Institute, as a gift from the people of your great State of Indiana, reports and statutes sent by your Governor and Supreme Judges, through the Hon. S. B. Gookins, to the Institute, shortly after the great fire at this city, was with the joint resolution laid before the executive committee of the Institute at its regular meeting, on the 22d inst. In pursuance of the instructions of that committee, I have the honor to request you to convey to the General Assembly of Indiana, as representing the people of that State, the profound thanks of the Institute, for this donation, with the assurance of its appreciation of the generous thankfulness, which not only began but completed the gift; be pleased yourself to accept thanks for your kind wishes expressed toward the Institute.

Very respectfully and truly yours,

ELLIOTT B. ANTHONY,

President of the Chicago Law Institute.

Which report was concurred in, and the communications were ordered to be spread on the journal.

Mr. Brett offered the following amendment to House bill No. 535:

Amend by appropriating fifteen hundred dollars for repairs, of outer walls and columns of the State House, said repairs to be made under the direction of the Secretary of State, and that he certify all allowances for such repairs to the Auditor of State for payment out of this appropriation.

Which amendment was adopted, the amendment considered as ngrossed, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Durham, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Goudie, Gronendyke, Hatch, Hedick, Hollingsworth, Isenhauer, Kimball, King, Kirkpatrick, Lenesty, Lent, McConnell, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Spellman, Stanley, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Barker, Blocher, Bowser, Buskirk, Claypool, Cline, Coffman, Crumpacker, Eward, Glasgow, Glazebrook, Goble, Gregory, Johnson, Jones, Martin, McKinney, Peed, Pfrimmer, Reno, Richardson, Shutt, Smith, Strange, Tecter, Thayer, Tulley and Willard—29.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Kimball, chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred House bill No. 531, making general appropriations for the years 1873 and 1874, herewith return the bill with the amendments recommended by the House.

Which report was concurred in.

Mr. Brett offered the following amendment:

"*Provided*, That the Auditor of State, Secretary of State and

Treasurer of State shall be allowed to draw the several appropriations made in this act for contingent expenses of their respective offices, only upon vouchers filed with the Auditor of State, which vouchers shall show that such expenses have been incurred on account of and for the uses of the State."

Which amendment was adopted, the bill as amended was considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goudie, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Teeter, Thayer, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—66.

Those who voted in the negative were, Messrs. Barrett, Blocher, Cauthorn, Claypool, Coffman, Goble, Gregory, Isenhauer, Jones, Offutt, Peed, Pfrimmer, Reno, Richardson, Shirley, Shutt, Spellman, Strange and Tulley—19.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Branham, from the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

The Committee on Ways and Means, to whom was referred Senate bill No. 294, having had the same under consideration, herewith return the bill with the recommendation that it be

amended by striking out section 3, and after being so amended, recommend its passage.

On motion of Mr. Branham, the report and bill were made a special order for to-morrow at 10 o'clock a. m.

SPECIAL ORDER.

The special order being the consideration of engrossed House bill No. 503, the same was taken up and read a third time.

Whereupon Mr. Ogden moved to re-commit with the following instructions :

I move to recommit to the Committee on the Judiciary, with the following instructions :

Amend section 2 by striking out "not less than one term each year," and insert in lieu thereof "not less than twice each year."

Mr. Tulley moved to lay the motion to recommit on the table.

The question being, shall the motion to recommit be laid on the table ?

Messrs. Ogden and Tulley demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Blocher, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Glasgow, Goble, Gregory, Henderson, Isenhauer, Kirkpatrick, McConnell, Mellett, Miller, North, Peed, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Spencer), Troutman, Tulley, Walker, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—54.

Those who voted in the negative were, Messrs. Baker, Baxter, Billingsley, Broaddus, Cowgill, Crumpacker, Eward, Goudie, Gronendyke, Heller, Hollingsworth, Johnson, Jones, Kimball, Lenfesty, Lent, McKinney, Odle, Offutt, Ogden, Pfrimmer, Reno, Thayer, Tingley, Whitworth and Willson (of Ripley)—25.

So the motion to recommit was laid on the table.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Glasgow, Goble, Goudie, Gregory, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, McConnell, McKinney, Mellett, North, Offutt, Peed, Pfrimmer, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Wynn—69.

Those who voted in the negative were, Messrs. Baker, Blocher, Coffman, Cole, Eward, Furnas, Gronendyke, Hedrick, Heller, Lenfesty, Lent, Odle, Ogden, Reno, Tingley, Whitworth, Willson (of Ripley) and Mr. Speaker—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared enrolled Senate bill No. 254 with the engrossed copy and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts, to-wit:

Enrolled Senate act No. 10, entitled—an act to amend section 58 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, and declaring an emergency.

Enrolled Senate act No. 156, entitled—an act to authorize cities constructing water works to issue bonds and to dispose of the same in aid of the construction of such water works.

Enrolled Senate act No. 69, entitled—an act authorizing and empowering cities incorporated under any general law of this State for the incorporation of cities, and owning real estate, to sell and convey the same, in whole or in parcels, as the Common Council of such city or cities may deem expedient, and prescribing in what manner the same may be conveyed, and declaring an emergency.

Enrolled act of the Senate No. 50, entitled—an act supplemental to the act entitled "An act dividing the State into counties, defining their boundaries, and defining the jurisdiction of such as border on the Ohio and Wabash rivers," approved June 1, 1852, so as to define the boundary between the counties of Washington and Clarke.

Also, the following Senate Joint Resolution, to-wit:

Senate Joint Resolution No. 12, entitled—a joint resolution confirming the purchase of additional grounds whereon to erect a new State House.

And the same have been placed in the hands of the Joint Committee on Enrolled Bills in compliance with Joint Rule No. 4.

I am, also, directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled Senate act No. 170, entitled—an act making an appropriation to Purdue University, and declaring an emergency.

Enrolled Senate act No. 254, entitled—an act to amend section 60 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and

rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed Senate bill No. 120, entitled—a bill to protect the ballot box, to procure a fair election, to define felonies and to prescribe punishment therefor.

And the same is herewith submitted to the House for its action thereon.

The Speaker announced that he had signed Enrolled Senate acts Nos. 170 and 254.

SPECIAL ORDER.

The Special Order being the consideration of Engrossed House bill No. 476, said bill was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Baxter, Billingsley, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Goble, Goudie, Hedrick, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, McConnell, Mellett, North, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—63.

Those who voted in the negative were, Messrs. Baker, Cole, Durham, Givan, Gronendyke, Heller, Lenfesty, Lent, Ogden, Reno, Tingley, Whitworth and Willson (of Ripley)—13.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

SPECIAL ORDER.

The Special Order being the consideration of Senate bill No. 106, said bill was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Goble, Goudie, Hatch, Hedrick, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wooller, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Cole, Durham, Eaton, Glasgow, Gronendyke, Heller, Lenfesty, Tingley and Willard—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared enrolled Senate bill No. 264 with the engrossed copy and find that the same is correctly enrolled.

Also, your Joint Committee on Enrolled Bills report that this 5th day of March 1873, they presented enrolled Senate Joint Resolution No. 12, and enrolled Senate bills Nos. 50, 69, 10 and 150 to the Governor for his approval and signature.

SPECIAL ORDER.

The special order being the consideration of engrossed House bill No. 256; said bill was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence,) Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hatch, Hedrick, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, North, Odle, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood Woodard, Woollen, Wynn and Mr. Speaker—77.

Messrs. Heller, Ogden and Tingley voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Woollen offered the following amendment: An act in relation to the order of business in the circuit courts, and giving the power to empannel special juries in certain cases.

Which amendment was adopted, and the title as amended was then approved.

Mr. Cauthorn offered the following resolution:

Resolved, That three copies of the acts of the special and r lar sessions of this General Assembly, as also of the journa the House for said sessions, and one copy of the brevier rep be bound in leather for the use of the members of this House.

Which resolution was adopted.

Mr. Ogden announced the death of William T. Lockhart, d keeper of the House of Representatives, and offered the follov resolution :

WHEREAS, The painful intelligence has reached this Hous the sudden and unexpected death of our faithful and esteemed d keeper, Wm. T. Lockhart, who fell a victim to that terrible ı ady, small-pox; therefore,

Resolved, That in his death this House has lost a faithful efficient officer, who had endeared himself to us by a prompt formance of official duty and by kind and considerate attentio all our wants; that by his death the State has been deprived of intelligent and worthy citizen, and the church of a pure christ

Resolved, That our condolence and sympathy are extended the relatives and friends of the deceased in this their bereavm

Resolved That a copy of these resolutions be spread upon journals of this House; that a copy of the same be forwarded the relatives of the deceased, and that out of respect to his mem this House now adjourn until to-morrow at 9 o'clock, a. m.

Which resolution was unanimously adopted by a rising vote.

Mr. Furnas offered the following resolution:

Resolved, That the present acting doorkeeper of this House instructed to procure a metalic coffin in which to inter the rema of the late W. T. Lockhart, and report the cost of the same to t House as early as possible.

Which resolution was unanimously adopted.

Whereupon the Speaker declared the House adjourned until t morrow at 9½ o'clock.

his journal was read in the presence of the committee and d to be correct.

W. K. EDWARDS, Speaker.

THURSDAY MORNING.

March 6, 1873, 9½ o'clock.

he House met pursuant to adjournment, with the Speaker in hair.

layer was offered by Hon. James Rudder, Representative from ounty of Washington.

n motion of Mr. Hollingsworth, the reading of the journal of erday was dispensed with.

ouse bill No. 144 and the following engrossed Senate amend- s thereto were taken up:

ngrossed Senate amendment to House bill No. 144: Amend riking out all after the word "act," in line 5, in the section, insert the following: "It shall be the duty of each company, ectively, to maintain and keep in repair its own track, so as at imes provide a ready, safe and convenient crossing for all notives or trains passing on either road at such point."

hich amendments were concurred in.

r. Woodard moved a call of the House.

hich motion prevailed.

he members answering to their names were, Messrs. Anderson, aer, Barker, Baxter, Billingsley, Blocher, Branham, Brett, Bus- r Butterworth, Butts, Claypool, Cline, Cobb, Coffman, Cole, gill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), rd, Gifford, Givan, Glasgow, Goble, Goudie, Gronendyke, ch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Kim-

ball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinne Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Prentis Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhit Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teete Tingley, Thompson (of Elkhart), Thompson (of Spencer), Trou man, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford Willson (of Ripley), Wood, Woodard, Woollen, Wynn and M Speaker—79.

On motion of Mr. Gifford, further proceedings under the ca were dispensed with.

Engrossed Senate bill No. 155 was taken up and read a thir time.

Whereupon Mr. Butterworth offered the following amendment

Amend by adding to the county of Elkhart the sum c $1,000 62; also, by adding to the county of St. Joseph $976 13 also, by adding to the county of Delaware $815 45.

On motion of Mr. Smith, the amendment was laid on the table

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barke Billingsley, Blocher, Branham, Brett, Butts, Clark, Cline, Cobb Coffman, Cowgill, Durham, Ellsworth, Furnas, Givan, Gobl Gregory, Gronendyke, Hardesty, Hedrick, Hoyer, Isenhaue Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Ma tin, McKinney, North, Odle, Offutt, Ogden, Peed, Pfrimme Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Shir ley, Smith, Spellman, Strange, Tingley, Thompson (of Spencer) Wilson (of Blackford), Willson (of Ripley) and Wynn—53.

Those who voted in the negative were, Messrs. Anderson, Baker Buskirk, Butterworth, Cauthorn, Claypool, Crumpacker, Eaton Edwards (of Lawrence), Eward, Gifford, Glasgow, Glazebrook Goudie, Heller, Henderson, Hollingsworth, McConnell, Mellett Miller, Prentiss, Reeves, Riggs, Scott, Shutt, Stanley, Teeter Thayer, Thompson (of Elkhart), Troutman, Tulley, Walker Wesner, Whitworth, Wood, Woodard, Woollen and Mr. Speake —39.

So the bill passed.

The question being, shall the title as read stand as the title of ıe bill ?

It was so ordered.

SPECIAL ORDER.

The special order being the consideration of Senate bill No. 94 and the report of the committee thereon, the same were taken p.

Which report was concurred in and the amendment adopted.

Mr. Shirley offered the following amendment :

Ir. Speaker :

I move to amend by adding the following section :

Sec.—. It shall be the duty of the appraisers to select as their eputies under this act and the act passed at the special session 872, the persons who were elected as township assessors at the eneral election in the year 1872, when they are competent to act s said deputy assessors and will give bond and qualify as such.

On motion of Mr. Baker the amendment was laid on the table.

Mr. Mellett offered the following amendment :

Amend by inserting "50" instead of "30 cents," in section 29, as the price per description of printing the delinquent list.

Which amendment was not adopted.

Mr. Clark was called to the chair by the Speaker.

Said bill was then read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffinan, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow,

Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer, Troutman, Tulley, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—87.

Messrs. Claypool, Richardson and Walker voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker resumed the chair.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 27, entitled "A bill to legalize certain acts of corporations organized or attempted to be organized under and by virture of an act entitled, 'An act authorizing the construction of plank, Macadamized and gravel roads,'" approved May 12, 1852, and acts supplemental thereto.

Engrossed Senate bill No. 325, entitled "A bill for an act to authorize the Governor of the State to exchange with Peter Donnelly certain lands therein described."

Engrossed Senate bill No. 302, entitled "A bill to make general indexes of deeds, and mortgages evidence in certain cases."

Engrossed Senate bill No. 244, entitled "A bill fixing the compensation of certain officers therein mentioned."

Engrossed Senate bill No. 243 entitled, " A bill supplemental to an act entitled, ' An act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana,' " approved February 21, 1855, and repealing an act entitled, " An act to amend sections 4 and 7 of an act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved June 3, 1861, and prescribing additional duties of clerks of circuit courts, and prosecuting and district attorneys ; and the same are herewith submitted to the House for its action.

Also, I am directed by the Senate to inform the House of Representatives, that the Senate has concurred in engrossed House amendment to engrossed Senate bill No. 292, entitled "A bill regulating the fees of officers and providing penalties for its violation ; repealing certain acts therein named, and providing duties to be performed by State, county and township officers and matters properly connected therewith, and declaring an emergency."

Engrossed House bill No. 508 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Blocher, Bowser, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Ellsworth, Eward, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, King, Kirkpatrick, Lenfesty, Lent, Martin, McKinney, Mellett, North, Odle, Offutt, Ogden,. Peed, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Wynn—79.

Those who voted in the negative were, Messrs. Barrett, Claypool, Edwards (of Lawrence), Reeves, Shirley, Thayer, Thompson (of Elkhart) and Mr. Speaker—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Brett, from the Committee on Benevolent Institutions, submitted the following report:

MR. SPEAKER:

The Committee on Benevolent Institutions to whom was referred Senate bill No. 198, herewith return the bill with the following amendments:

Amend by striking out all that relates to the organization of the school included in sections 12 and 3. Amend section 4 by striking out the Trustees of the Indiana Institute for the education of the Deaf and Dumb, and insert the Governor, Auditor and Treasurer of State. The committee are of opinion that the land named in said section 4 should not be sold, and recommend that the bill lie on the table.

Which report was concurred in, amendments adopted and the bill laid on the table.

Engrossed Senate bill No. 305 was taken up—a bill to incorporate trustees selected by any religious society for educational, benevolent or charitable purposes, and enable them to receive and hold real and personal property for such purposes.

Which bill was read a first time.

Mr. Baxter moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Billingsley, Blocher, Bowser, Branham, Butts, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller,

Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Mellett, Miller North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—84.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Butts, Cauthorn, Clark, Claypool, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—84.

Mr. Willson, of Ripley, voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 219 was taken up—A bill to provide for the construction and maintenance of fish ladders, and providing penalties for the violation of the same.

Which bill was read a first time and referred to the Committee on Agriculture.

Engrossed Senate bill No. 48 was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—84.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was ordered.

The Speaker announced that he had signed enrolled Senate acts Nos. 8, 144, 489 and 55.

The Joint Committee on Enrolled Bills, submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have carefully compared enrolled House bill No. 8, entitled "An act to prevent hunting and shooting on inclosed lands without the consent of the owner or occupant thereof, and providing a penalty therefor.

Also, No. 489, entitled—an act to amend section 5 of "An act to incorporate the town of Huntington," approved Feb. 16, 1848.

Also, No. 55, entitled—an act to amend an act entitled "An act to provide for a general system of common schools," &c., &c., approved March 6, 1865.

Also, No. 144, entitled—an act to provide for the crossing of railroads, the keeping in repair such crossing, and providing for the expense thereof, with the engrossed copies thereof, and find that the same are correctly enrolled.

Mr. Clark presented a petition from sundry citizens of Hamilton county on the subject of secret societies.

Which was referred to the Committee on Rights and Privileges.

Mr. Clark presented petitions from sundry citizens of Hamilton county asking for the repeal of the divorce laws, &c.

Which was referred to the Committee on Rights and Privileges.

Mr. Woodard, chairman of the Committee on Fees and Salaries, submitted the following report:

Mr. Speaker:

Your Committee on Fees and Salaries, to whom was referred Senate bill No. 289, offer the following amendments, and when so amended recommend that it pass.

Amend by adding the following sections after section 1:

Sec. 2. There shall be allowed to each of the Judges of the Civil Circuit Courts, annually, $3,500, to be paid in the same manner and out of the same funds as the Judges of the Supreme Court.

Sec. 3. There shall be allowed to each of the Judges of the Superior Court $3,500 annually, to be paid out of the State and County Treasuries in the same proportion as now provided by law in such cases.

Sec. 4. There shall be allowed to each of the Judges of the Criminal Circuit Courts $2,000 annually, to be paid quarterly, out of the treasury of the county in which such court is established.

And further amend by numbering the remaining sections of said bill as 5 and 6.

Which bill and report were made a special order for 2 o'clock, p. m.

the table and made a special order for 2 o'clock, p. m.

On motion of Mr. Woollen, Senate bill No. 117 was taken from Engrossed Senate bill No. 278 was taken up—a bill to amend section 53 of an act entitled an act to repeal all general laws now in force for the incorporation of cities and to provide for the incorporation of cities and prescribing their powers and rights and the manner in which they shall exercise the same, and regulate such other matters as properly appertain thereto, approved March 14, 1867, and declaring an emergency.

Mr. Thompson, of Elkhart, moved that the constitutional rule be suspended, the bill read a first and second time by its title, and read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Gifford, Givan, Glazebrook, Goble, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, North, Odle, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—83.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a first and second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Bowser, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Givan, Glazebrook, Goble, Gregory, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, Kirkpatrick, McConnell, McKinney, North, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—78.

Messrs. Billingsley, Furnas, Goudie and King voting in the negative—4.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. King, Engrossed House bill No. 524 was made a special order for 2 o'clock, p. m.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have examined Enrolled Senate bill No. 169, entitled—an act authorizing the organization of voluntary associations, and prescribing the duties and powers, and find the same correctly enrolled.

On motion of Mr. Woodard, the House adjourned until 2 o'clock, p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

The Speaker announced that he had signed Enrolled House acts Nos. 355 and 87.

SPECIAL ORDER.

The special order being the consideration of House bill No. 524; said bill was taken up, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Bowser, Buskirk, Clark, Claypool, Cobb, Cowgill, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, Mellett, Miller, Odle, Prentiss, Reeves, Richardson, Riggs, Rumsey, Schmuck, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Wesner, Willard, Wood, Woollen, Wynn and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Anderson, Barker, Butterworth, Butts, Cline, Coffman, Crumpacker, Durham, Eward, Givan, Goble, Heller, Hoyer, Lenfesty, McKinney, Offutt, Peed, Pfrimmer, Reno, Rudder, Satterwhite, Scott, Shirley, Shutt, Thayer, Troutman, Walker, Whitworth, Wilson (of Blackford) and Woodard—20.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 218, entitled "A bill concerning the employment of short hand reporters, regulating their duties and providing that the original long hand manuscript report of evidence may be used on appeals in certain cases."

Engrossed House bill No. 539, entitled "A bill to amend the first section of an act entitled, 'An act creating the nineteenth, twenteeth and twenty-first judicial circuits, providing for the election of judges and prosecuting attorneys thereof, and providing compensation therefor, declaring the jurisdiction of said courts, and providing for a transfer of actions thereto,'" approved March 11, 1867, and to provide for the transfer of actions and business in said twenty-first judicial circuit to the Wayne circuit court, and declaring its jurisdiction in relation thereto.

Engrossed House bill No. 456, entitled "A bill for an act to amend the charter of the town of Clinton, granting the board of trustees of said town certain powers, and legalizing certain acts of said president and trustees of said town.

Engrossed House bill No. 444, entitled "A bill relating to the sale and conveyance of the property heretofore owned and occupied as a county jail, county seat and court house of Perry county, State of Indiana."

Engrossed House bill No. 303, entitled "A bill to amend sections 2 and 6 of an act entitled, 'An act providing for a geological and mineralogical cabinet of the Natural History of this State, and creating the office of State Geologist, defining his duties, fixing his salary, and appropriating a sufficient amount of money to defray the necessary expenses of said survey and for the collection and preservation of said cabinet,'" approved March 5, 1869.

Engrossed House bill No. 534, entitled "A bill legalizing the assessment and collection of the municipal taxes for the years 1871 and 1872, of the town of Sommerset in Wabash county."

Also, with the accompanying engrossed amendment thereto the following bill, to-wit:

Engrossed House bill No. 198, entitled "A bill to amend the 15th, 19th, 31st and 49th sections of an act approved May 12,

1869, entitled, " An act to provide for the organization of savings banks, and the safe and proper management of their affairs.' "

Engrossed House bill No. 504, entitled " A bill supplementary and amendatory of an act to provide a uniform assessment of property and for the collection and return of taxes thereon," approved December 21, 1872.

Engrossed House bill No. 411, entitled " A bill to amend section forty-four of an act entitled, ' An act to provide for a general system of common schools, the officers thereof and their respective powers, and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' " approved March 6, 1865; and the same is herewith returned to the House of Representatives.

Engrossed Senate bill No. 239, entitled " A bill authorizing incorporated cities containing a population of fifteen thousand, to make loans and prescribing rules and regulations concerning the borrowing of money by such cities ;" and the same are herewith submitted to the House for its action thereon.

I am also directed by the Senate to herewith transmit to the House of Representatives for the signature of the Speaker thereof the following enrolled acts, to-wit :

Enrolled act of the Senate No. 169, entitled " An act authorizing the organization of voluntary associations, and prescribing their duties and powers."

Enrolled act of the Senate No. 264, entitled " An act to amend the 4th, 5th, 26th, 35th, 43d and 58th sections of an act entitled, ' An act granting to the citizens of the town of Evansville in the county of Vanderburgh a city charter,' " approved January 27, 1847.

I am also directed by the President of the Senate to inform the House of Representatives, that he has signed the following enrolled acts, to-wit:

Enrolled act of the Senate No. 254, entitled " An act to amend

section 60 of an act entitled 'An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto,'" approved March 14, 1867.

Enrolled act of the Senate No. 170, entitled "An act making an appropriation to Purdue University, and declaring an emergency."

And the same have been placed in the hands of the Joint Committee on Enrolled Bills, in compliance with joint rule No. 4.

I am directed by the Senate to inform the House of Representatives that the Senate has concurred in so much of the amendment of the House to Senate bill No. 88 as relates to section No. 13, and that the Senate has refused to concur in the amendment adding to said bill section 30, and the Senate respectfully asks the House to recede from said amendment.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor enrolled Senate bills Nos. 170 and 254, for his approval and signature, this 6th day of March, 1873.

SPECIAL ORDER.

The special order being the consideration of engrossed Senate Bill No. 117, said bill was taken up.

Mr. Woollen moved that the constitutional rule be suspended, the bill read a first and second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Butterworth, Clark, Cline, Cobb, Coffman, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Farnas, Gifford, Givan, Glazebrook, Goble, Gregory, Gronendyke, Hed-

rick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite Schmuck, Scott, Shirley, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—67.

Those who voted in the negative were, Messrs. Bowser, Buskirk, Claypool, Ellsworth, Miller, Offutt, Peed, Shutt and Willard—9.

So the constitutional rule was suspended, the bill read a first and second time by its title, read a third time by sections.

Whereupon Mr. Willson, of Ripley, moved that the bill be indefinitely postponed.

The question being, shall the bill be indefinitely postponed?

Messrs. Willson, of Ripley, and Baker demanded the ayes and noes.

Those who voted in the affirmative were, Messrs Anderson, Baker, Blocher, Bowser, Buskirk, Crumpacker, Edwards (of Lawrence), Ellsworth, Glazebrook, Goble, Gregory, Henderson, Isenhauer, Jones, Miller, Offutt, Peed, Rudder, Smith, Stanley, Tingley, Wesner, Willard, Willson (of Ripley) and Wynn—25.

Those who voted in the negative were, Messrs. Barker, Barrett, Baxter, Billingsley, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cobb, Cole, Cowgill, Durham, Eaton, Eward, Furnas, Gifford, Givan, Glasgow, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Johnson, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Strange, Teeter, Thayer, Tingley, Thompson, (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen and Mr. Speaker—66.

So the bill was not indefinitely postponed.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Edwards (of Lawrence), Eward, Gifford, Glasgow, Glazebrook, Goudie, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Odle, Ogden, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—69.

Those who voted in the negative mere, Messrs. Anderson, Baker, Barker, Blocher, Buskirk, Durham, Eaton, Ellsworth, Givan, Goble, Gregory, Henderson, Jones, Miller, Offutt, Peed, Pfrimmer, Reeves, Smith, Spellman, Strange, Tulley, Willard and Willson (of Ripley—29.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Speaker announced that he had signed enrolled Senate acts Nos. 169 and 264.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Senate enrolled act No. 106, entitled "An act to prescribe the qualifications of petit jurors in the several courts of this State," and find the same correctly enrolled.

SPECIAL ORDER.

Tee special order being the consideration of engrossed Senate bill No. 289 and the report thereon, the same were taken up and the bill read a second time.

Mr. Hardesty moved that the report and amendments be laid on the table.

The question being, shall the report and amendments be laid on the table?

Messrs. Hardesty and Wesner demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Baker, Barker, Blocher, Bowser, Broaddus, Butterworth, Butts, Clark, Claypool, Crumpacker, Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Hoyer, Jones, Kimball, Kirkpatrick, Lenfesty, Martin, McConnell, Miller, Offutt, Pfrimmer, Prentiss, Reno, Rudder, Rumsey, Schmuck, Scott, Shutt, Smith, Spellman, Teeter, Thompson (of Elkhart), Troutman, Wilson (of Blackford), Wynn and Mr. Speaker—47.

Those who voted in the negative were Messrs. Anderson, Barrett, Baxter, Billingsley, Buskirk, Cline, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Edwards, (of Lawrence), Gregory, Hatch, Henderson, Hollingsworth, Isenhauer, Johnson, King, McKinney, Mellett, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Shirley, Stanley, Strange, Thayer, Tulley, Thompson (of Spencer), Walker, Wesner, Willard, Willson (of Ripley), Wood, Woodard and Woollen—41.

So the report and amendments were laid on the table.

Mr. Butterworth moved to reconsider the vote by which the report and amendments to Senate bill No. 289 were laid on the table.

Mr. Givan moved to lay the motion to reconsider on the table.

Messers. Hardesty and Walker, demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Baker, Barker, Blocher, Bowser, Broaddus, Butts, Clark, Claypool, Crumpacker, Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Hedrick, Heller, Hollingsworth, Hoyer, Jones, Kirkpatrick, Lenfesty, Martin, McConnell, Offutt, Pfrimmer, Prentiss, Reno, Rudder, Rumsey, Satterwhite, Schmuck, Scott,

Shutt, Spellman, Stanley, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Whitworth, Wilson (of Blackford and Wynn—49.

Those who voted in the negative, were Messrs. Anderson, Barrett, Baxter, Billingsley, Buskirk, Butterworth, Cline, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence,) Gronendyke, Hatch, Henderson, Isenhauer, Johnson, Kimball, King, McKinney, Mellett, Miller, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Shirley, Smith, Strange, Thayer, Tingley, Thompson (of Elkhart), Walker, Wesner, Willard, Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—44.

So the motion to reconsider was laid on the table.

Mr. Shirley offered the following amendment:

Mr. Speaker:

I move to amend by adding the following section:

Sec. 3. That the salaries of the Circuit Courts in the State shall be $3,000 annually, to be paid annually out of any moneys appropriated for such purposes.

Mr. Lenfesty offered the following amendment:

Amend the amendment by striking out "$3,000" and inserting "$2,500."

Mr. Goudie moved to lay the bill and amendment on the table.

The question being, shall the bill and amendment be laid on the table?

Messrs. Goudie and Buskirk demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Broaddus, Clark, Claypool, Crumpacker, Ellsworth, Eward, Furnas, Goble, Goudie, Gronendyke, Hardesty, Hollingsworth, Jones, Kirkpatrick, Offutt, Pfrimmer, Prentiss Reno, Rudder, Scott, Shutt, Stanley, Thompson (of Elkhart), Troutman, Willard and Wynn—29.

Those who voted in the negative were Messrs. Baxter, Billings-

ley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Cline, Cobb, Cowgill, Durham, Eaton. Edwards (of Lawrence), Gifford, Givan, Glasgow, Glazebrook, Gregory, Hatch, Hedrick, Heller, Henderson, Hoyer, Isenhauer, Johnson, Kimball, King, Lenfesty, McConnell, Mellett, North, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Spellman, Teeter, Thayer, Tingley, Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—62.

So the bill and amendments were not laid on the table.

The question being, shall the amendment offered by Mr. Shirley be adopted?

Messrs. Shirley and Buskirk demanded the ayes and noes.

Those who voted in the affirmative were Messrs. Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Cobb, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Furnas, Gifford, Glazebrook, Gregory, Hatch, Heller, Henderson, Hoyer, Isenhauer, Johnson, Kimball King, McKinney, Mellett, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Schmuck, Shirley Thayer, Tulley, Walker, Wesner, Whitworth, Willson (of Ripley,) Wood, Woodard, Woollen and Mr. Speaker—48.

Those who voted in the negative were Messrs. Anderson, Baker, Barker, Blocher, Broaddus, Butts, Clark, Claypool, Cline, Crumpacker, Ellsworth, Eward, Givan, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Hollingsworth, Jones, Kirkpatrick, Lenfesty, McConnell, Miller, North, Offutt, Pfrimmer, Prentiss, Reno, Rudder, Rumsey, Satterwhite, Scott, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Willard, Willson (of Blackford) and Wynn--45.

So the amendment was adopted.

Mr. Heller offered the following amendment:

Amend section 1 by striking out "$4,000" and inserting "5,000."

On motion of Mr. Baker the amendment was laid on the table.

Mr. King offered the following amendment:

Amend by adding the following section:

SEC. —. That the Judges of the Superior Court shall be allowed the sum of $3,000 per annum, payable in the same proportion, and in the same manner, as is now provided by law.

Which amendment was adopted.

Mr. Walker offered the following amendment:

SEC. 3. There shall be allowed to each of the Judges of the Criminal Circuit Courts, annually, $2,000, to be paid quarterly, out of the treasury of the county in which such court is established.

Mr. Johnson offered the following amendment to the amendment:

Provided, That in all counties having a city with a population of forty thousand the salary of said Criminal Circuit Court Judge shall be $2,500, to be paid quarterly out of said county treasury as aforesaid.

Which amendment to the amendment was accepted by Mr. Walker.

And the amendment was then adopted.

Mr. Shirley offered the following amendment:

Amend by striking out of the section fixing the salaries of the Supreme Judges the words "four thousand," and insert "four thousan five hundred."

On motion of Mr. Woodard, the amendment was laid on the table.

Mr. Woollen moved that the constitutional rule be suspended the amendments considered engrossed, the bill read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Bus-

kirk, Butterworth, Cauthorn, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—75.

Those who voted in the negative were, Messrs. Broaddus, Butts, Clark, Claypool, Eward, Givan, Gronendyke, Jones, Kirkpatrick, Lenfesty, Offutt, Prentiss, Scott, Shutt, Troutman and Willard —16.

So the constitutional rule was suspended, the amendments considered as engrossed, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmiative were, Messrs. Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Cobb, Coffman, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Glazebrook, Gregory, Hatch, Heller, Henderson, Hoyer, Isenhauer, Johnson, Kimball, King, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Reeves, Richardson, Riggs, Schmuck, Shirley, Spellman, Thayer, Thompson (of Spencer), Tulley, Walker, Wesner, Whitworth, Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—53.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Blocher, Broaddus, Butts, Clark, Claypool, Cline, Crumpacker, Eward, Furnas, Givan, Glasgow, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Hollingsworth, Jones, Kirkpatrick, Lenfesty, Offutt, Pfrimmer, Prentiss, Reno, Rudder, Rumsey, Satterwhite, Scott, Shutt, Stanley, Tingley, Thompson (of Elkhart), Troutman, Willard, Wilson (of Blackford) and Wynn—38.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Mr. Johnson offered the following amendment:

Amend the title of the bill by inserting after the word "Supreme" the words "Circuit, Superior and Criminal Circuit Courts."

Amend further by striking out these words, "and declaring an emergency for the immediate taking effect of this act."

Which amendment was adopted, and the title as amended was then adopted.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Enrolled House bill No. 355, entitled—an act authorizing Scott and Wayne county auditors to correct their reports made to the Superintendent of Public Instruction, &c. Also, No. 87, entitled—an act to amend an act to provide for a general system of common schools, &c., &c., with the original copy, and find the same correctly enrolled.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have compared Enrolled House bill No. 138, and find the same correctly enrolled.

Engrossed Senate bill No. 300 was taken up—an act for the relief of the Lye Creek Draining Association.

Mr. Woollen moved that the constitutional rule be suspended, the bill read a first and second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Billingsley, Blocher, Bowser, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—77.

Those who voted in the negative were, Messrs. Barrett, Broaddus and Lenfesty—3.

So the constitutional rule was suspended, the bill read a first and second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Shirley, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Wynn—78.

Messrs. Lenfesty, Troutman and Mr. Speaker voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled House bill No. 539, and find that the same is correctly enrolled.

The Speaker announced that he had signed enrolled House acts Nos. 138 and 539.

House bill No. 504 was taken up and the following engrossed Senate amendments thereto:

Engrossed Senate amendments to House bill No. 504:

Amend section 1 so as to read as follows:

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana*, That each person or tax-payer charged with taxes on tax duplicate in the hands of a county treasurer, may pay the full amount of such taxes on or before the third Monday in April, or may at his option pay one-half thereof on or before the said third Monday in April, and the remaining half on or before the 15th day of November following. *Provided, however*, That all road taxes so charged, shall be paid prior to and the remaining half on or before the 15th day of November following. *Provided, however*, That all road taxes so charged, shall be paid prior to the 15th day of November, in the manner prescribed by law: *And provided further*, That in all cases where as much as one-half of the amount of taxes charged against a tax-payer, shall not be paid on or before the third Monday in April, the whole amount charged shall become due and be returned delinquent and collected as provided by law: *And provided further*, That the provisions of sections 1, 2 and 3 of this act shall not apply to the tax for the year 1872.

Also, amend by striking out section 4.

Also, amend section 5 so as to read as follows: that section 159 of said act be amended to read as follows:

The several county treasurers be and are hereby required, immediately after their April settlement with the county auditor, either in person or by deputy, to call upon every delinquent taxpayer in their respective counties, and if necessary to distrain property for the collection of such delinquent tax together, with ten per centum damage, and cost and charges that may occur. The said treasurer shall on the 15th day of November make settlement with the county auditor for the amount of such delinquent, for which said treasurer is to stand charged, said settlement in all respects to be made and certified in such manner as the Auditor of State shall direct. And it shall be the duty of the county auditor to provide a certified copy of such settlement forthwith to the Auditor of State. *Provided*, That the county auditor shall not be authorized to credit the treasurer with any uncollected delinquency, unless such treasurer shall show by proper returns verified by his oath, or affirmation, that he has in each case for which he claims credit diligently sought for and has been unable to find any property from which to collect such tax, or that property was levied upon, offered for sale and failed to sell, or having made a levy he was enjoined, or otherwise prevented from making sale or collections by a court of competent jurisdiction: *And provided further*, That in all cases where property shall fail to sell for want of bidders, the county treasurer shall have the power to remove said property to some other township in the county, and re-offer the same as in the first instance.

Also, amend by adding the following:

Sec. —. Any corporation, whether foreign or domestic firm or individual engaged in the business of transporting or carrying passengers or freight on any railroad in the State of Indiana upon any contract or agreement with such railroad company, shall in the months of January and July of each year report to the Auditor of State in the case of a corporation under oath of the president, secretary or other principal officer the gross amount of all receipts received in the State of Indiana, on account of the transportation of passengers or freight for the six months last preceding, ending on the last days of December and June, and shall at the time of

such report pay into the Treasury of State the sum of three dollars on every one hundred dollars of such receipts received for passage fare, and the sum of one dollar on every one hundred dollars of such receipts received for transporting freight, in case such business is carried on by persons or individuals, such report and payment shall be made by the individuals or some of them engaged in such business. *And provided*, That where amounts shall be received by such corporation, company, firm or individual whatever, received within or without the State and being for passage fare or other transportation, and a part of such receipts shall be on account of fare or transportation over roads within this State, in such case said president and secretary, or other officers or individuals shall be required to report such proportion of the amount of such receipts as the distance traversed in the State, bears to the whole distance paid for. *Provided*, That the provisions of this section shall not apply to any company owning and operating a railroad within this State.

Sec. —. Any company, corporation, firm or individual engaged in such business failing or refusing for more than thirty days to render an accurate account of the receipts as herein provided and to pay the required tax thereon, shall forfeit one hundred dollars for each additional day such report and payment shall be delayed, to be recovered in the name of the State of Indiana and in the relation of the Auditor of State, in any court of competent jurisdiction.

Sec. —. Every insurance company not organized under the laws of this State and doing business therein, shall in the months of January and July of each year under oath of the President and Secretary, report to the Auditor of State the gross amount of all receipts received in the State of Indiana, on account of insurance premiums for the six months last preceding, ending on the last days of December and June of each year, and shall at the time of making such report pay into the Treasury of the State the sum of three dollars on every one hundred dollars of such receipts, less losses actually paid within the State.

Sec. —. Any such insurance company failing or refusing for more than thirty days to render an accurate account of its premium receipts, as in the preceding sections provided, and pay the

required tax thereon, shall forfeit one hundred dollars for each additional day such report and payment shall be delayed, to be recovered in the name of the State of Indiana, on the relation of the Auditor of State, in any court of competent jurisdiction, and it shall be the duty of the Auditor of State to revoke all authority of any such defaulting company to do business within this State.

Which amendments were concurred in.

House bill No. 411, and the following engrossed Senate amendments thereto, were taken up:

Engrossed Senate amendment to House bill No. 411: Strike out of the fourth line in the first section the words "which reads," and insert in lieu thereof, "be amended."

Which amendments were concurred in.

Mr. Richardson offered the following resolution:

Resolved, That John O. Hardesty, Allen Furnas, John E. Woodard, James W. Cole, S. J. Barrett, J. D. Thayer and S. S. Coffman, members of the Committee on the affairs of the State Prisons, be allowed thirty dollars each to defray expenses of visit to the prisons at Michigan City and Jeffersonville, and that the Speaker is hereby directed to draw his warrant upon the Auditor of State for such amount.

Which resolution was adopted.

Mr. Brett offered the following resolution:

Resolved, That the principal clerk of this House, upon the final adjournment of this session, be authorized to prepare a calendar of all bills pending in the House upon adjournment, to have three hundred copies of the same printed for the use of the members, in case the Governor, for any cause, shall call a special session of this General Assembly; and said clerk is hereby authorized to file said printed copies, together with the register books of the House, and all bills and papers relating to the business of this and the special session, properly classified, with the Secretary of State, and take receipts for the same.

Which resolution was adopted.

Mr. Satterwhite offerred the following concurrent resolution:

WHEREAS, There seems to be no statute authorizing any person to have custody, care and repair of the public grounds, buildings and property of the State, therefore be it

Resolved, by the House of Representatives, the Senate concurring, That the Governor, Auditor and Secretary of State be, and they are hereby created ex-officio a board of commissioners to have the custody and care of the public grounds, buildings and property of the State of Indiana at the capital. They shall see that the fences and buildings are kept in repair, and that no waste or damage is committed upon them during the recess of the General Assembly; they shall have power to determine all temporary use of them; they shall give all orders concerning the preparation of the capital for the meeting of the General Assembly, and no expenditure shall be made on this behalf without their express direction; They may rent any grounds or house of the State not occupied for public use, to continue until the next meeting of the General Assembly, but they shall not encumber such grounds or buildings with any contract which will interfere with their State use. They shall also collect at the close of each session of the General Assembly, the furniture and equipments of the two Houses and the committee rooms, and sell the same for the benefit of the State treasury, or require the Librarian to preserve the same for future use.

Which concurrent resolution was adopted.

House bill No. 198, and the following engrossed Senate amendments thereto were taken up:

Also, amend by striking out the words "fifteen hundred" in line 7, on page 18, and inserting in lieu thereof the words "one thousand."

Also, amend by striking out the word "with" in line 10, on page 9, and inserting in lieu thereof the word "worth."

Also, amend by striking out the word "his" in line 7, on page 10, and inserting "this."

Engrossed Senate amendments of House bill No. 198:

Amend the bill by striking out all after the word "Indiana" in line 3, on page 2, to the words "that in," in line — and page 7.

Also, amend by adding after the word "dividend" in line 7, on page 15, these words: "provided the same shall not exceed the rate of six per cent. per annum.

Also, amend by striking out the word "larger" in line 1, on page 15, and inserting in lieu thereof the word "longer."

Which amendments were concurred in.

The engrossed House amendments to Senate bill No. 88 were then taken up, and on motion of Mr. Lenfesty the House amendments not concurred in by the Senate upon which the Senate asked the House to recede from its action thereon, and the same was receded from by the House.

Engrossed Senate bill No. 250 was taken up—a bill to further prescribe the duties of the Secretary of State and to provide for the necessary arrangements, clerks and expenses of his office.

Which bill was read a first time, and on motion of Mr. Woodard, referred to the Committee on Public Buildings and made a special order for to-morrow at 9 o'clock a. m.

Engrossed Senate bill No. 273 was taken up—a bill in relation to the construction of Railroads, and legalizing certain acts in connection therewith, and declaratory of the true interest and meaning of the act of Jannary 30, 1873, in this act mentioned.

Which bill was read a first time, and on motion of Mr. Wynn referred to the committee on the Judiciary.

Engrossed Senate bill No. 293 was taken up—an act supplemental to an act entitled "An act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved February 21, 1855, and repealing an act entitled an act to amend sections four and seven of "An act to provide for the election, fixing the compensation and prescribing the duties of the Attorney General of the State of Indiana," approved June 3, 1861, and prescribing additional duties of Clerks of Circuit Courts, and Prosecuting and District Attorneys.

Mr. Branham moved that the constitutional rule be suspended, and the bill read a first and second time by its title.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Bowser, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, North, Ogden Reeves,, Reno, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer,) Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson, (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a first and second time by its title and referred to the Committee on the Judiciary.

Mr. Smith, from the Committee on Public Libraries, submitted the following report:

Mr. Speaker:

Your Committee on Public Libraries have had under consideration Senate concurrent resolution in relation to the purchase by the Librarian, English and American herd books, etc., and report the same back to this House with the recommendation that it be concurred in.

Which report was concurred in, and the Senate concurrent resolution concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have

compared with the engrossed copy House bill No. 303, and find the same correctly enrolled.

On motion of Mr. Baker, the House adjourned until to-morrow at 9 o'clock a. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

FRIDAY MORNING.

March 7, 1873, 9 o'clock.

The House met pursuant to adjournment, with the Speaker in the Chair.

Prayer was offered by the Honorable N. T. Butts, Representative from Randolph county.

On motion of Mr. Rumsey, the reading of the journal of yesterday was dispensed with.

Mr. Claypool was granted leave to withdraw from the files House bill No. 538.

Mr. Ogden offered the following resolution:

Resolved, That the Speaker of the House be, and he is hereby authorized to make out the proper voucher or vouchers in favor of William T. Lockhart, late Doorkeeper of the House, for services as such Doorkeeper for his full unexpired term, and deliver the same to Allen Furnas, a member of this Assembly, who is hereby authorized and empowered to procure the proper warrant and draw the amount thereof from the State Treasury, and hold said money in trust for the legal representatives or heirs of the deceased.

Which resolution was adopted.

Mr. Ogden, from the Committee on Cities and Towns, submitted the following report:

Mr. Speaker:

The Committee on Cities and Towns, to whom was referred Senate bill No. 176, have had the same under consideration, and have directed me to report the same back to the House without recommendation.

Which report was received, and the bill read a second time.

Mr. Henderson moved that the constitutional rule be suspended, the bill read a third time, and put upon its passage.

The question being shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Butterworth, Cauthorn, Claypool, Clark, Cline, Cowgill, Crumpacker, Durham, Eaton, Ekwards (of Lawrence), Eward, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Heller, Henderson, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—69.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Givan, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Heller, Henderson, Isenhauer, Kimball, King, Kirkpatrick, Lenfesty, McConnell, Mellett, Miller, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Richardson, Riggs, Rumsey, Satterwhite, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—58.

Those who voted in the negative were, Messrs. Barker, Branham, Goble, McKinney, Peed, Reno, Rudder, Schmuck and Tingley—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 206 was taken up—a bill to encourage agriculture and agricultural fairs by the purchase and improvement of fair grounds.

Which bill was read a first time.

Mr. Claypool moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Branham, Buskirk, Butterworth, Cauthorn, Clark, Claypool, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Givan, Glasgow, Glazebrook, Goodie, Gregory, Hatch, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Martin, McConnell, Mckinney, Mellett, Miller, Odle, Offutt, Peed, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—70.

Those who woted in the negative were, Messrs. Baker, Goble, Lenfesty and Prentiss—4.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Martin, McConnell, McKinney, Miller, Odle, Pfrimmer, Prentiss, Reeves, Richardson, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs, Barker, Brett, Lenfesty, Tingley, Willard and Wilson (of Blackford)—6.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts, to-wit:

Enrolled act of the House of Representatives No. 8, entitled "An act to prevent hunting and shooting on enclosed lands, without the consent of the owner or occupant thereof, and providing a penalty therefor."

Enrolled act of the House of Representatives No. 55, entitled "An act to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the

establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' " approved March 6, 1865, and adding supplemental sections thereto.

Enrolled act of the House of Representatives No. 87, entitled " An act to amend an act entitled ' An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,' " approved March 6, 1865, and adding supplemental sections thereto.

Enrolled act of the House of Representatives No. 355, entitled " An act authorizing the auditors of Scott and Wayne counties to correct the reports made to the Seperintendent of Public Instruction relating to the school fund, common and congressional, as required by an act entitled ' An act requiring county auditors to make examination of the records in their offices in relation to school funds, and make report, and providing compensation therefor,' " approved December 21, 1865, and declaring an emergency.

Enrolled act of the House of Representatives No. 489, entitled " An act to amend section 5 of an act entitled ' An act to incorporate the town of Huntington,' " approved February 16, 1848.

Enrolled act of the House of Representatives No. 144, entitled " An act to provide for the crossings of railroads, the keeping in repair of such crossings, and providing for the expense thereof."

Enrolled act of the Senate No. 264, entitled " An act to amend the 4th, 5th, 26th, 35th, 43d and 58th sections of an act entitled ' An act granting to the citizens of the town of Evansville, in the county of Vanderburgh, a city charter,' " approved January 27, 1847.

Enrolled act of the Senate No. 169, entitled " An act authorizing the organization of voluntary associations, and prescribing their duties and powers."

Enrolled act of the House of Representatives No. 138, entitled " An act to authorize cities and towns to negotiate and sell bonds

to procure means with which to erect and complete unfinished school buildings, and to purchase any ground and buildings for school purposes, and to pay debts contracted for such erection and completion and purchase of buildings and grounds, and authorizing the levy and collection of an additional special school tax for the payment of such bonds."

Enrolled act of the House of Representatives No. 539, entitled "An act to amend the first section of an act entitled 'An act creating the 19th, 20th and 21st judicial circuits, providing for the election of judges and prosecuting attorneys thereof, and providing compensation therefor, declaring the jurisdictions of said courts, and providing for a transfer of actions thereto,'" approved March 11, 1867, and to provide for the transfer of actions and business in the said 21st judicial circuit to the Wayne Circuit Court, and declaring its jurisdiction in relation thereto.

And the same have been placed in the hands of the Joint Committee on Enrolled Bills, in compliance with joint rule No. 4.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying engrossed amendments, the following bills, to-wit:

Engrossed House bill No. 476, entitled "A bill relating to prosecutions by affidavit and information."

Engrossed House bill No. 503, entitled "A bill regulating the convening and adjournment of grand juries."

Engrossed House bill No. 339, entitled "A bill defining certain felonies and prescribing punishment therefor.

Also I am directed by the Senate to inform the House that the Senate has passed Engrossed House bill No. 256, entitled "A bill in relation to business in the Circuit Court, and giving the court the power to empannel juries in certain cases.

Engrossed Senate bill No. 344, entitled "A bill to amend section two of an act entitled 'An act to provide for the election of a reporter, and a speedy publication of the decisions of the Supreme Court and the compensation of such reporter,'" approved February 5, 1852.

Engrossed Senate bill No. 24 was taken up, read a third time and put upon its passage.

The question being shall the bill pass?

Those who voted in the affirmative, were Messrs. Baker, Barker, Baxter, Barrett, Billingsley, Blocher, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthron, Clark, Claypool, Cline, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards, (of Lawrence), Eward, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Miller, Odle, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Satterwhite, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Thompson, (of Elkhart), Thompson, (of Spencer), Troutman, Tulley, Walker, Weaver, Whitworth, Wilson, (of Blackford), Wood, Woodard, Woollen, and Mr. Speaker—78.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 27 was taken up—a bill to legalize certain acts of corporations organized, or attempted to be organized, under and by virtue of an act entitled "An act authorizing the construction of plank, Macadamized and gravel roads" approved May 12, 1852, and acts supplemental thereto.

Which bill was read a first time and referred to the committee on roads.

Engrossed Senate bill No. 74 was taken up, read a third time, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Barker, Baxter, Billingsley, Broaddus, Branham, Buskirk, Butterworth, Butts,

Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards, (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, Kirkpatrick, Martin, McConnell, McKinney, Miller, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Riggs, Rudder, Satterwhite, Schmuck, Scott, Smith, Spellman, Stanley, Strange, Thayer, Tingley, Thompson, (of Elkhart), Thompson, (of Spencer), Troutman, Tulley, Wesner, Whitworth, Wilson, (of Blackford), Wood, Woodard, Woollen, Wynn, and Mr. Speaker —73.

Messrs. Baker, Barrett, Reno and Teeter voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Thr joint committee on enrolled bills submitted the following report:

Mr. Speaker:

Your joint committee on enrolled bills report that they have examined the following enrolled House bills to-wit:

Enrolled House bill No. 444, entitled "An act relating to the sale and conveyance of the property heretofore owned and occupied as a county jail," etc.

Also, No. 534, "An act legalizing the assessment and collection of the municipal taxes for the years 1871 and 1872, of the town of Summerset, in Wabash county.

Also, enrolled House bill No. 528, entitled "An act concerning the employment of short-hand reporters, regulating their duties, and providing that the original long hand manuscript report of evidence may be used on appeal in certain cases.

Also, House bill No. 477, an act to amend section forty-four of an act entitled "An act to provide for a general system of common schools," etc.

Also, enrolled House bill No. 456, entitled "An act to amend the charter of the town of Clinton, granting to the Board of Trustees of said town certain powers, and legalizing certain acts of said President and trustees of said town.

Also, enrolled House bill No. 198, entitled "An act to amend the fifteenth and nineteenth sections of an act to provide for the organization of savings banks, etc.," and find the same correctly enrolled.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

Mr. Speaker:

By direction of the Governor, I have the honor to inform the House that His Excellency has approved and signed enrolled Act No 417, entitled "An act governing costs in the Superior Courts of this State."

Also enrolled act No. 36, entitled "An act to amend sections one and six of an act entitled 'An act to incorporate the Franklin Insurance Company,'" approved February 13, 1851.

Also enrolled act No. 360, entitled "An act to appropriate $150.00 for the distribution of the Report of the Superintendent of Public Instruction."

Also, enrolled act No. 382, entitled "An act relative to the salary of the Superintendent of Public Instruction, and provining the manner of paying the same."

Also, enrolled act No. 493, entitled "An act to amend section eight of an act entitled 'An act to provide for the more uniform mode of doing township business, prescribing the duties of certain officers in connection therewith, and to repeal all laws conflicting with this act,'" approved February 18, 1859.

Also, enrolled act for the relief of Nicholas Morback, Joseph E. Lange and Francis Joseph Wetzler," and that he has caused the same to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

Engrossed House Bill No. 526, and following engrossed Senate amendments thereto were taken up.

Senate amendments to House bill No. 520: Amend section three by striking out all between the word "shall," in line two, and the word "the," in line three, and insert in lieu thereof the words "contract for and let."

Also, that section three be further amended by adding the following thereto: "And said board shall, before making any contract under the provisions of this act, give thirty days' notice by publication in four newspapers of general circulation, two of which shall be published in the city of Indianapolis, one in the city of Cincinnati, and one in the city of Chicago, of the time and place when and where such contract will be let, specifying in such notice the kinds and qualities as near as may be of the work to be done, and materials to be furnished, and at the time and place mentioned in such notice said board shall attend and there remain in open session not less than three hours, and receive and compare bids for the several classes of work to be done, or parcels thereof, and shall then let the same in classes or parcels, as may best subserve the interest of the State, to the lowest responsible bidder, or bidders therefor: *Provided*, however, that said commissioners shall have the right to reject any and all bids, *and provided also*, if all bids are rejected it shall be competent for the commissioners to make a contract on personal negotiation, if such contract can be made on better terms than those contained in the lowest responsible bid."

Also, amend by striking out section four, and in lieu thereof insert the following:

Sec. 4. Each party or firm who shall contract with said Board under the provisions of this act, shall, before such contract be valid, execute, and file in the office of the Secretary of State, a bond payable to the State of Indiana, in a sum of not less than fifteen thousand dollars with surety thereon, to be approved by said Board, and conditioned that such contractor or contractors shall faithfully perform the work and do the things required of him or them by such contract.

Also, amend section 5 by inserting in line 9, after the word

"shall," the word "take," and that section 5 be further amended by striking out the word "to" in line ten; and that section 5 be further amended by inserting in line 10, after the word "oath," the words "before some officers authorized by law to administer oaths." Also, further amend section 5 by inserting after the figures "$1,500" the words "with surety thereon to be approved by said Board, and conditioned that he will faithfully perform the duties required of him by this act, and said expert shall have no pecuniary interest in any contract made under the provisions of this act, except that of his own employment by said Board." And amend said bill further by inserting therein between sections 3 and 4, as they are now numbered, the following additional section: The printing for the State shall be divided into three classes, and each class thereof shall be let in a separate contract. The first class shall include the printing of the Journals of each House and the laws enacted by the General Assembly, the printing of the reports of the Deaf and Dumb, Insane and Blind Asylums, report of the Superintendent of Public Instruction, the Indiana University and the Northern and Southern Prisons, Agricultural and Geological reports, report of the Canal Trustees, and all other books or pamphlets specially ordered by the General Assembly, or either branch thereof, shall constitute the first class.

The printing of all blanks, circulars and other work necessary for the Executive Administration, Legislative and Judicial Departments, other than shall be printed in pamphlet form, shall constitute the second class.

The folding, stitching, covering or binding of all pamphlets, laws, House and Senate journals, and documentary journal shall constitute the third class.

Sec. —. The bids for each class shall be in the following form:

Class I. Composition, plain matter — cents per 1000 ems; composition, figure work — cents per 1,000 ems; composition, rule and figure work, — cents per 1,000 ems; signature per 1,000.

Press work — cents per token of 240 impressions on sixteen page form, all lithographing, such as maps, charts, views of public edifices, ground plans, etc.

Class II. Letter heads, per ream, —; circulars, per ream, —; commissions, per quire, —; envelopes, per 1,000, —.

Class III. Folding, — cents per 100 sheets; stitching, — cents per 100 books or pamphlets; covering, — cents per 100 books or pamphlets.

Sec. —. All pamphlet work shall be done in uniform style; plain matters to be set in small pica; note pages to be twenty-five ems pica wide, and each page to contain 1,500 ems. Figure work to be set in brevier or nonpareil, as the case may require, and each page not to measure more than 2,600 ems plain matter. Ruled or figure work to be set in nonpareil, and each page not to measure more than 4,500 ems plain matter. The House and Senate Journals to be set in small pica solid, and no unnecessary blanks or break lines to be allowed.

Sec. —. One person may bid for one or more classes of the work, but each class must be a separate and distinct bid and accompanied with a separate bond.

The question being, shall the House concur in the amendments proposed by the Senate?

Messrs. Mellett and Broaddus demanded the ayes and noes.

Those who voted in the affimative were Messrs. Baker, Claypool, Coffman, Crumpacker, Durham, Eaton Givan, Heller, Henderson, Isenhauer, McConnel, Offutt, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Tulley, Willard and Woollen—26.

Those who voted in the negative were Messrs. Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Buskirk, Butterworth, Butts, Clark, Cline, Cobb, Cole, Edwards (of Lawrence), Eward, Furnas, Gifford, Glazebrook, Goble, Goudie, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Kimball, Kirkpatrick, Lefesty, Lent, Martin, McKinney, Mellett, Miller, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer,) Troutman, Wesner, Whitworth, Wilson (of Blackford); Wood, Woodard, Wynn and Mr. Speaker—56.

So the Senate amendments were not concurred in.

The Speaker announced that he had signed enrolled House acts, Nos. 534, 303, 444, 528. 198, 456 and 411.

Mr. Brett, from the Committee on Public Buildings, submitted the following report:

MR. SPEAKER:

The Committee on Public Buildings, to whom was referred House bill No. 391, having considered the same, herewith return the bill and recommend that it lie on the table.

Which report was concurred in and the bill laid on the table.

Mr. Brett, from the Committee on Public Buildings, submitted the following report:

MR SPEAKER:

The Committee on Public Buildings, to whom was referred Senate bill No. 250, have had the same under consideration, and herewith return the same with the following amendments:

Amend section 2 as follows: Strike out all after the words "recorded in his office," and insert: "*Provided*, That not more than $500 shall be expended for the purchase or procurement of any such missing laws, papers or other file, which amount is hereby appropriated for that purpose."

Amend section 4 as follows: Insert after the words "regular work of his office" as follows: "and one additional clerk for the special purpose of this act, at a salary of twelve hundred dollars for a period not exceeding two years," and when so amended your committee recommend that said bill do pass.

Which report was concurred in, the amendments adopted, and the bill as amended read a second time.

Mr. Woodard moved that the constitutional rule be suspended, the bill read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Clark, Claypool, Coffman, Cole, Cowgill, Crumpacker, Durham, Edwards (of Lawrence), Eward, Fur-

nas, Gifford, Givan, Glazebrook, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Woodard, Woollen, Wynn and Mr. Speaker—78.

Mr. Lenfesty voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Cobb, Cole, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Lent, McKinney, Mellett, Miller, North, Odle, Ogden, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—53.

Those who voted in the negative, were Messrs. Barker, Barrett, Bowser, Buskirk, Cauthorn, Claypool, Cline, Coffman, Crumpacker, Eaton, Ellsworth, Givan, Goble, Goudie, Gregory, Heller, Henderson, Isenhauer, Jones, Martin, McConnell, Offutt, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tulley, Willard, Wood and Woollen—39.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor Enrolled House bills Nos. 489, 8, 55, 355, 144, 138, 539 and Enrolled Senate bills Nos. 169 and 264 for his approval and signature this 7th day of March, 1873.

Engrossed Senate bill No. 120 was taken up—a bill to protect the ballot box, to procure a fair election, to define felonies, and prescribing punishment therefor.

Which bill was read a first time.

Mr. Kimball moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baker, Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cline, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Pfrimmer, Reeves, Reno, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—85.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—90.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 346, entitled "A bill to fix the time of holding courts in the 38th judicial circuit, and to continue in force certain provisions of law applicable thereto and declaring an emergency."

Engrossed Senate bill No. 345, entitled "A bill to amend section 40 of an act, entitled 'An act to divide the State into circuits for judicial purposes; fixing the time of holding courts therein; abolishing the courts of common pleas; and transferring the business thereof to the circuit courts; and providing for the election of judges and prosecuting attorneys in certain cases,'"

approved March 6, 1873; and the same is herewith submitted to the House for its action thereon.

Also, that the Senate has passed engrossed House bill No. 189, entitled "A bill to place directors of Macadamized gravel road companies organized under the laws of this State whenever they may have become creditors of such corporations on equal terms with other creditors, in any and all suits for the collection of money due them, and to repeal all laws in conflict therewith;" and the same is herewith returned to the House.

Also, that the Senate has passed with the accompanyiug engrossed amendments the following bill, to-wit:

Engrossed House bill No. 530, entitled "A bill to raise revenue for State purposes, for the years 1873 and 1874."

Mr. Furnas, from the Committee on Temperance, submitted the following report:

Mr. Speaker:

Your Committee on Temperance, to whom was referred engrossed Senate bill No. 113, entitled "A bill to restrain all persons from hiring or employing persons under the age of twenty-one years to make or vend by the wholesale or retail any spirituous or intoxicating liquors, etc."—have had the same under consideration and have instructed me to report the same back to the House with the recommendation that it pass.

Which report was concurred in and the bill read a second time.

Mr. Ogden offered the following amendment:

Amend by adding the following proviso: "*Provided*, That the provisions of this act shall not extend to sales by druggist for medicinal purposes."

Which amendment was adopted.

Mr. Furnas moved that the constitutional rule be suspended, the amendment considered as engrossed, the bill as amended read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended ?

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Branham, Broaddus, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Johnson, Kimball, King, Lenfesty, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Anderson, Baker, Blocher, Bowser, Brett, Butterworth, Cline, Crumpacker, Eaton, Givan, Goble, Isenhauer, Martin, McKinney, Peed, Pfrimmer, Reno, Rudder, Schmuck, Tulley, Whitworth and Willard—24.

So the constitutional rule was suspended, the amendment considered as engrossed, the bill as amended read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Broaddus, Butts, Clark, Claypool, Cobb, Cole, Cowgill, Durham, Edwards (of Lawrence), Eward, Furnas, Glasgow, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Johnson, Jones, Mellett, Odle, Ogden, Reeves, Rumsey, Satterwhite, Scott, Thayer, Tingley, Troutman, Wesner, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—38.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Barrett, Blocher, Bowser, Branham, Brett, Buskirk, Butterworth, Cauthorn, Cline, Coffman, Crumpacker, Eaton, Gifford, Givan, Goble, Heller, Henderson, Isenhauer, Kimball, King, Lent, Martin, McConnell, McKinney, Miller, North, Offutt, Peed, Pfrimmer, Prentiss, Reno, Richardson, Riggs, Schmuck, Shirley, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Whitworth, Willard and Woollen—49.

So the bill failed to pass.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled House bill No. 256, entitled "An act in relation to the order of business in the circuit court, and giving the court power to empannel juries in certain cases," and find the same is correctly enrolled.

The Speaker announced that he had signed enrolled House act No. 256.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 347, entitled "A bill providing how the unused books, blanks, forms and stationery heretofore furnished for the use of the Common Pleas Court shall be disposed of."

Engrossed Senate bill No. 336, entitled "A bill to fix and determine the boundary line betwen the States of Indiana and Kentucky, above and near Evansville, and making the same evidence and dispute."

Engrossed Senate bill No. 263, entitled "A bill vesting the inchoate claim of a wife in the real estate of the husband, in certain cases, and defining her rights in the same."

And the same are herewith transmitted to the House for its action thereon.

Mr. Kimball moved that the vote by which Senate bill No. 143 failed to pass be reconsidered and recommitted to the Committee on Temperance.

Which motion prevailed.

Engrossed House bill No. 67 was taken up and read a third time.

Whereupon Mr. Walker moved that the bill be indefinitely postponed.

Pending which, upon motion of Mr. Smith, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in in the chair.

Mr. Thompson, of Elkhart, moved a call of the House.

Which motion prevailed.

Those who answered to their names were, Messrs. Anderson, Baker, Barker, Baxter, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Coffman, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Glasgow, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, North, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Tulley, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—82.

On motion, the further proceedings under the call were dispensed with.

The Speaker announced that he had signed enrolled Senate act No. 189.

The consideration of the motion to indefinitely postpone House bill No. 67, pending the consideration of which the House adjourned this forenoon, wns resumed.

The question being, shall House bill No. 67 be indefinitely postponed?

Messrs. Willson, of Ripley, and Blocher demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baxter, Billingsley, Bowser, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cole, Cobb, Coffman, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauar, Johnson, Jones, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, Mellett, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Rumsey, Satterwhite, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—67.

Those who voted in the negative were, Messrs. Baker, Barrett, Blocher, Branham, Brett, Claypool, Cline, Ellsworth, Givan, Goudie, Gregory, Henderson, Hoyer, Kimball, McKinney, Miller, North, Peed, Pfrimmer, Rudder, Schmuck, Shirley, Thompson (of Spencer), Willson (of Ripley), Woollen and Wynn—26.

So the bill was indefinitely postponed.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have examined enrolled House bill No. 189, entitled "An act to place directors and other officers of Macadamized and gravel road companies organized under the laws of this State, whenever they may have become creditors of such corporations, on equal terms with other creditors," etc., and find the same correctly enrolled.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills would report that they have examined Senate Enrolled bill No. 305, and find the same correctly enrolled.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor enrolled House bills Nos. 456, 411, 303, 528, 534, 444 and 198 for his approval and signature.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed the following enrolled acts, to-wit:

Enrolled act of the House of Representatives No. 256, entitled "An act in relation to the order of business in the Circuit Courts, and giving the courts the power to empannel special juries in certain cases."

Enrolled act of the Senate No. 106, entitled "An act to prescribe the qualifications of petit jurors in the several courts of this State."

And the same have been placed in the hands of the Joint Committee on Enrolled Bills, in compliance with joint rule No. 4.

I am also directed by the Senate to inform the House that the Senate has passed the following bills, to-wit:

Engrossed Senate bill No. 343, entitled "A bill providing for the procuring of plans, specifications and estimates for a new State House, and making an appropriation, and other matters connected therewith."

Engrossed House bill No. 434, entitled "A bill supplemental to an act entitled 'An act concerning license to vend foreign merchandize, to exhibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain,'" approved June 15, 1852.

I am also directed by the Senate to inform the House that the Senate has refused to recede from its amendmemts to House bill No. 526, entitled "A bill for an act to provide for the public print-

ing and binding," and the Senate respectfully ask the appointment of a committee of free conference, on which the Senate has appointed Messrs. Dwiggins, Slater and Hough.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor enrolled House bill No. 256 for his aproval and signature.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House, for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 305, entitled "An act to incorporate trustees selected by any religious society, for educational, benevolent or charitable purposes, and enable them to receive and hold real and personal property for such purposes.

Also, enrolled act of the Senate No. 106—an act to prescribe the qualifications of petit jurors in the several courts of this State.

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act, to-wit:

Enrolled act of the House of Representatives No. 189, entitled "An act to place directors and other officers of Macadamized and gravel road companies, organized under the laws of this State, whenever they may have become creditors of such corporations on equal terms with other creditors, in any and all actions for the collection of money due them, and to repeal all laws in conflict herewith;" and the same has been placed in the hands of the Joint Committee on Enrolled Bills.

I am also directed by the Senate to inform the House that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 224, entitled "A bill to amend the 1st section of an act—approved January 14, 1846—entitled 'An act to incorporate the Female Seminary of St. Mary's of the Woods in Vigo county, Indiana, by authorizing a school for youths, and an orphan asylum, a hospital and other works of charity of said corporation.'"

Engrossed House bill No. 195, entitled "A bill to amend the 1st section of an act, entitled 'An act to incorporate the University of Notre Dame Du Lac, at South Bend, St. Joseph county, Indiana,'" approved January 15, 1844; and the same is herewith returned to the House.

Also, I am directed by the Senate to inform the House that the Senate has concurred in the engrossed amendments of the House of Representatives to engrossed Senate bill No. 250, entitled "A bill to further describe the duties of the Secretary of State, and to provide for the necessary arrangements, clerks and expenses of his office.

The Speaker announced that he had signed enrolled Senate acts Nos. 305 and 106.

The Speaker laid before the House the message of the Senate in relation to the appointment of a Committee of Conference on House bill No. 526.

Which was agreed to by the House.

Whereupon the Speaker announced the following named members as such committee: Messrs. Mellett, Hardesty and Baker.

Mr. Cowgill, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on the Judiciary, to whom was referred Senate bill No. 273, entitled "A bill in relation to the construction of railroads, and legalizing certain acts in connection therewith, and declaratory of the true intent and meaning of the act approved January 30, 1873, in this act mentioned"—have had the same under consideration and recommend that it pass.

Which report was concurred in and the bill read a second time.

Mr. Ogden offered the following amendment:

Amend by striking out the first and second sections.

Mr. Willard offered the following amendment:

Amend section 1, line —, after the words: "completed in or through any county or township," insert the following: "before the time of taking effect of this act."

Mr. Bowser moved to lay the amendments on the table.

The question being, shall the amendments be laid on the table?

Messrs. Willard and Butts demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Bowser, Branham, Butterworth, Clark, Cole, Cowgill, Edwards (of Lawrence), Goble, Gronendyke, Hardesty, Heller, Isenhauer, Johnson, Jones, King, Kirkpatrick, Martin, Offutt, Reeves, Riggs, Rumsey, Satterwhite, Shutt, Tingley, Tulley, Wesner and Woollen—28.

Those who voted in the negative were, Messrs. Anderson, Baker, Barker, Barrett, Billingsley, Blocher, Broaddus, Buskirk, Butts, Cauthorn, Claypool, Cline, Cobb, Coffman, Crumpacker, Eaton, Eward, Furnas, Givan, Glazebrook, Goudie, Gregory, Hatch, Henderson, Hollingsworth, Hoyer, Kimball, Lenfesty, McConnell, McKinney, North, Odle, Ogden, Pfrimmer, Reno, Richardson, Rudder, Schmuck, Scott, Smith, Spellman, Stanley, Strange, Teeter, Thompson (of Spencer), Troutman, Whitworth, Willard, Wilson (of Blackford), Wood and Wynn—51.

So the amendments were not laid on the table.

The amendment offered by Mr. Ogden was then adopted.

Mr. Lenfesty offered the following amendment:

Amend by striking out section 3.

On motion of Mr. Gregory the amendment was laid on the table.

Said bill was then ordered to a third reading.

The following message was received from the Senate, by the Secretary thereof.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in the amendments of the House to Senate bill No. 289, entitled "A bill to fix the salary of Judges of the Supreme Court of this State, and to provide for time and manner of payment and declaring an emergency for the immediate taking effect of this act," with the following amendment, to-wit:

Strike out the words "three thousand" where it occurs in section 2, and insert in lieu thereof the words "twenty-five hundred;" in which amendment the House is respectfully requested to concur.

Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have this day presented to the Governor House bill No. 189 for his signature and approval.

Mr. King introduced House bill No. 542—a bill in relation to the laying out, opening, widening, altering and vacation of streets and alleys and highways, and for cleaning or altering of water courses by the cities of this State, and providing for the appointment of commissioners to assess benefits and damages, prescribing their duties and the method of procedure, and providing for the collection of benefits and payment of damages, and prescribing the duties of city officers in relation thereto, and providing remedies in such matters.

Mr. Kimball moved that the constitutional rule be suspended, the bill be read a first and second time by its title, considered as engrossed, read a third time by sections, and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline,

Cobb, Coffman, Cole, Crumpacker, Durham, Eaton, Eward, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Johnson, Jones, Kimball, King, Lenfesty, Martin, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—79.

Mr. Brett voting in the negative.

So the constitutional rule was suspended, the bill read a first and second time by its title, considered as engrossed, and read a third time.

Whereupon Mr. Smith offered the following amendment:

Amend section 9, line 6, after the word report "and filing a copy thereof in the office of the Recorder of the county."

Amend section 14, line 5, by striking out the words "felony of said report," and insert "approving said report by the Common Council."

Which amendments were unanimously adopted.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Anderson, Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Durham, Edwards (of Lawrence), Eward, Furnas, Glasgow, Glazebrook, Goble, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Hoyer, Isenhauer, Johnson, Kimball, King, Kirkpatrick, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rumsey, Satterwhite, Schmuck, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker 73.

Mr. Givan voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following engrossed Senate amendments to the House amendments to Senate bill No. 289 were taken up:

Strike out the words "three thousand," where it occurs in section 2, and insert in lieu thereof the words "twenty-five hundred."

Which amendments were concurred in.

The following engrossed Senate amendments to House bill No. 339 were taken up:

Engrossed Senate amendments to engrossed House bill No. 339.

Amend section 1 by striking out the word "on," in line 4, and insert in lieu thereof the word "or."

Which amendments were concurred in.

The following engrossed Senate amendments to House bill No. 476 were taken up:

Engrossed Senate amendments to House bill No. 476:

Amend the bill by striking out the words "all offences," in line 5, section 1, and insert in lieu thereof the word "misdemeanor."

Also, amend said section by striking out the words "offences whether felonious or."

Also, amend said section by striking out the words "and information," in lines 6 and 10.

Amend second section by striking out the words "but such prosecution may be by indictment or information, as provided by law."

Which amendments were concurred in.

The following engrossed Senate amendments to House bill No. 503 were taken up:

Engrossed Senate amendments to House bill No. 503.

Amend section 2 by striking out the word "once," in line 15, and insert in lieu thereof the word "twice."

Which amendments were not concurred in.

The following engrossed Senate amendments to House bill No. 530 were taken up:

Engrossed amendments to House bill No 530.

Strike out the words "fifteen cents," wherever it occurs, and insert in lieu thereof the words "ten cents."

Which amendments were not concurred in.

Mr. Dial was granted leave of absence for the remainder of the session.

On motion of Mr. Blocher, the House adjourned until to-morrow at 9 o'clock, a. m.

This journal was read in the presence of the committee and found to be correct.

W. K. EDWARDS, Speaker.

SATURDAY MORNING.

March 8, 1873, 9½ o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

The journal of yesterday was read in part, when, on motion of Mr. Crumpacker, the further reading of the same was dispensed with.

Engrossed Senate bill No. 333 was taken up and read a first time—a bill for the relief of the indigent cripples of the State of Indiana.

Mr. Gronendyke moved that the constitutional rule be suspended, the bill read a second time by its title, the third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, North, Odle, Ogden, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rumsey, Satterwhite, Smith, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—63.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Branham, Broaddus, Butterworth, Butts, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Glasgow, Glazebrook, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Kirkpatrick, Lenfesty, McConnell, Miller, Odle, Prentiss, Reeves, Riggs, Rudder, Rumsey, Scott, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—55.

Those who voted in the negative were, Messrs. Barker, Brett, Cauthorn, Coffman, Givan, Gregory, Hardesty, Hatch, Isenhauer, Jones, Martin, North, Pfrimmer, Reno, Richardson, Schmuck, Strange and Tulley—18.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to respectfully inform the House that his Excellency did, on yesterday, in conformity to the requirements of an act of the General Assembly, entitled "An act to provide for the submission to the qualified electors of this State, for their ratification or rejection, a proposed amendment to the Constitution of Indiana, therein mentioned, and declaring an emergency," approved January 28, 1873, issue his proclamation, in which he declared and proclaimed said proposed aemndment, which reads as follows, to-wit:

"No law or resolution shall ever be passed by the General Assembly of the State of Indiana, that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance of an act entitled 'An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville,' passed January 19, 1846, and an act supplemental to said act, passed January 29, 1847, which, by the provisions of said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands and the tolls and revenues of the canal in said act mentioned, and no such certificates or stocks shall ever be paid by this State; a part and parcel of the Constitution of the State of Indiana, to be forever known and designated as section 7 of article 10."

SAMUEL R. DOWNEY,
Private Secretary.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following acts, to-wit:

Enrolled act of the House of Representatives No. 444, entitled "An act relating to the sale and conveyance of the property heretofore owned and occupied as a county jail, county seat and court house of Perry county, situated at the town of Rome, in said Perry county, State of Indiana."

Also, enrolled act of the House of Representatives No. 528, entitled "An act concerning the employment of short-hand reporters, regulating their duties and providing that the original long-hand manuscript report of evidence may be used on appeal in certain cases."

Also, enrolled act of the House of Representatives No. 303, entitled "An act to amend sections 2 and 6 of an act entitled 'An act providing for a geological survey, and for the collection and preservation of a Geological and Mineralogical Cabinet of Natural History of this State, and creating the office of State Geologist, defining his duties, fixing his salary and appropriating a sufficient amount of money to defray the necessary expenses of said survey, and for the collection and preservation of said cabinet,'" approved March 5, 1869.

Also, enrolled act of the House of Representatives No. 411, entitled "An act to amend section 44 of an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and prescribing the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865.

Also, enrolled act of the House of Representatives No. 456, entitled "An act to amend the charter of the town of Clinton, granting to the board of trustees of said town certain powers, and legalizing certain acts of said president and trustees of said town."

Also, enrolled act of the House of Representatives No. 198, entitled "An act to amend the 15th, 19th, 31st and 49th sections of an act approved May 12, 1869, entitled 'An act to provide for the organization of savings banks, and the safe and proper management of their affairs.'"

Also, enrolled act of the Senate No. 305, entitled "An act to incorporate trustees, selected by any religious society for educational, benevolent or charitable purposes, and enable them to receive and hold real and personal property for such purposes."

Enrolled act of the Senate No. 106, entitled "An act to prescribe the qualifications of petit jurors in the several courts of this State;" and the same have been placed in the hands of the Joint Committee on Enrolled Bills in compliance with Joint Rule No. 4.

I am, also, directed by the Senate to herewith transmit to the House for the signature of the Speaker thereof the following enrollect act, to-wit:

Enrolled act of the Senate No. 48, entitled "An act to amend sections 1, 7 and 8 of an act, entitled 'An act to establish a house for the maintainance of sick and disabled Indiana soldiers and seaman, and their orphans and widows,'" approved March 11, 1867, and section 2 of an act supplementary thereto, approved May 14, 1869.

The Speaker announced that he had signed enrolled act of the Senate No. 48.

Mr. Cauthorn, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary to whom was referred Senate bill No. 293—have had the same under consideration and have instructed me to report the said bill back to the House with the following amendment, to-wit:

Strike out all after the enacting clause, and in lieu thereof insert the amendments herewith presented, and when so amended, your committee recommend that it do pass.

That the Attorney General of this State shall reside at Indianapolis, and keep an office there, and shall on all business days during business hours be at said office in person or by deputy, unless engaged in court or elsewhere in the service of the State.

Sec. 2. That in all cases where the prosecuting attorneys have

failed for one year after the assessment of any fine or the forfeiture of any recognizance, or may hereafter for one year aftert he assessment of any fine or forfeiture of recognizance, fail to institute proceedings to collect and have paid into the proper treasury all such fines and forfeitures.

Sec. 3. That it shall be the duty of the Attorney General to keep a record of all opinions given by him to the Governor, General Assembly, or to any of the State officers, and an accurate account of all moneys collected or received by him under the provisions of this act in a substantially bound book, and to pay over to the proper officer all moneys collected at the end of each month.

Sec. 4. That the clerks of the several circuit courts be, and they are hereby required to make out and forward to the Attorney General within ten days after the close of the term of each circuit court, a statement of all fines assessed and forfeitures entered during such time, giving the names of the parties against whom such fines were assessed and forfeitures entered, the names of the surety or sureties in each case.

Sec. 5. That the said Attorney General be required to keep his office in one of the lower rooms of the Supreme Court building, until otherwise provided by law.

Sec. 6. That the said Attorney General shall be paid a salary of three thousand dollars per annum, to be paid quarterly out of any moneys in the treasury, not otherwise appropriated from and after the commencement of the term of office of the present incumbent, and a docket fee of ten dollars in all cases in which he may appear for the State to be taxed against the losing party with the costs in said cause. *Provided*, That in no case shall such docket fee be taxed against the State of Indiana.

Sec. 7. The Attorney General shall be required to attend to the interests of the State in all suits, actions or claims, in which the State is or may become interested in the Supreme Court of this State.

Sec. 8. He shall be required to give his legal opinion to the Governor whenever requested so to do, touching any question or point of law concerning the duties of any such officer, and likewise

to either House of the General Assembly on the constitutionality of any existing or proposed law, whenever required so to do by any resolution of such House.

Sec. 9. It shall be the further duty of the Attorney General to ascertain from time to time what amount has been paid to any public officer of the State, or any county officer or other person for unclaimed witness fees, court docket fees, license, money, unclaimed in estates or guardianships, fines or forfeitures, or money that escheat to the State for the want of heirs or from any other source where the same is by any law required to be paid to the State or any officer in trust for the State, and in all cases where the officers whose duty it shall be to collect the same shall fail, neglect or refuse for twelve months after the cause of action in favor of the State shall have accrued, or shall fail, neglect, or refuse to sue for and proceed to recover any property belonging to or which may escheat to the State, the said Attorney General shall institute, or cause to be instituted and prosecuted, all necessary proceedings to compel the payment of or recovery of any such property. For all collections made or property recovered under the provisions of this section, the Attorney General shall be allowed a commission of twenty per cent. on the first thousand dollars, ten per cent. on sums not exceeding two thousand dollars, and on all sums exceeding ten thousand dollars five per cent. And for the purpose of enabling the Attorney General to ascertain the facts herein contemplated it is hereby made the duty of the officer having the custody of any such moneys to report all the facts to said Attorney General, upon oath or affirmation, pertaining thereto, upon his demand in person, by deputy in writing; and any such officer failing to render such information upon such demand shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding one hundred dollars.

Sec. 10. The Attorney General shall be required to make annual reports to the Secretary of State on the first day of November in each year of the following statistics: all fines assessed and forfeitures entered in the State.

Sec. 11. That the Attorney General may employ and have such assistance to aid him in the discharge of the duties imposed upon him by the provisions of this act, and pay to them out of the

sums so collected by such person or persons, a sum not exceeding ten per cent. of the sum or sums so collected.

SEC. 12. That the Attorney General shall have such clerks and deputies as the Governor, Secretary and Auditor of State may deem necessary: *Provided*, That no more than two thousand dollars shall be paid out of the treasury in any one year for such purpose, the salary of such clerk or deputy to be paid out of any funds in the treasury not otherwise appropriated on the certificate of said State officers.

SEC. 13. That all laws and parts of laws coming in conflict with this act be and the same are hereby repealed.

SEC. 14. It is hereby declared that an emergency exists for the immediate taking effect of this act, therefore the same shall take effect and be in force from and after its passage.

Mr. Gregory offered the following amendment:

Amend by striking out sections 11 and 12.

Which amendment was, on motion of Mr. Ogden, laid on the table.

The report was then concurred in and the amendments adopted, and, on motion, were considered as engrossed; the bill was then read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Butterworth, Cauthorn, Clark, Cline, Cobb, Cole, Cowgill, Edwards (of Lawrence), Gifford, Glasgow, Gronendyke, Hardesty Hedrick, Hollingsworth, Johnson, Kimball, Kirkpatrick, Martin McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Reno, Riggs Scott, Shirley, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Willson (of Ripley), Woodard, Wynn and Mr. Speaker—46.

Those who voted in the negative were, Messrs. Barker, Barrett, Blocher, Brett, Claypool, Coffman, Crumpacker, Durham, Eaton, Ellsworth, Eward, Givan, Glazebrook, Goble, Goudie, Gregory, Hatch, Henderson, Isenhauer, Jones, Lenfesty, Lent, McKinney,

Peed, Pfrimmer, Prentiss, Reeves, Richardson, Rudder, Rumsey, Shutt, Smith, Spellman, Tulley, Whitworth, Willard, Wilson (of Blackford) and Wood—39.

So the bill failed to pass for want of a constitutional majority.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared with the engrossed copies the following enrolled House bills, Nos. 399, 195, 476, 504, and find the same correctly enrolled.

Also, your Joint Committee on Enrolled Bills report that they have presented to the Governor for his signature and approval Enrolled Senate bills Nos. 106 and 305, this 8th day of March, 1873.

The Speaker announced that he had signed enrolled House acts Nos. 504, 476, 195, 339 and 434.

Mr. Miller, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

Your Committee on the Judiciary, to whom was referred House bill No. 340—an act authorizing prosecuting attorneys to prosecute the pleas of the State before justices of the peace, and regulating their compensation therefor—have had the same under consideration and direct me to report the same back to the House with the recommendation to amend as follows:

1st. Strike out the second section.

2d. Amend section 3 by striking out the words "section three," and insert in lieu thereof the words "section two," and when so amended that it pass.

Which report was concurred in, the amendments adopted, and the bill as amended read a second time.

Mr. Miller moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cole, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, Kirkpatrick, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Whitworth, Willard, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—68.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Blocher, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Crumpacker, Cobb, Cline, Cole, Durham, Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Reno, Richardson, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Whitworth, Willard, Wilson (of Blackford), Will on (of Ripley), Wood, Wynn and Mr. Speaker—79.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

Whereupon Mr. Miller offered the following amendment:

I move to amend the title by striking out the words, "and regulating their compensation therefor."

Which amendment was adopted.

The title as amended was then approved.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to respectfully inform the House that his Excellency has approved and signed enrolled act No. 8, entitled "An act to prevent hunting and shooting on enclosed lands, without the consent of the owner or occupant thereof, and providing a penalty therefor."

Also, enrolled act No. 144, entitled "An act to provide for the crossings of railroads, the keeping in repair of such crossings, and providing for the expense thereof."

Also, enrolled act No. 539, entitled "An act to amend the first section of an act entitled 'An act creating the 19th, 20th and 21st judicial circuits, providing for the election of judges and prosecuting attorneys thereof, and providing compensation therefor, declaring the jurisdiction of said courts, and providing for a transfer of actions thereto,'" approved March 11, 1867, and to provide for the transfer of actions and business in said 21st judicial circuit to the Wayne Circuit Court, and declaring its jurisdiction in relation thereto, approved March 11, 1867.

Also, enrolled act No. 256, entitled "An act in relation to the order of business in the circuit courts, and giving the court the power to empanel special juries in certain cases."

Also, enrolled act No. 456, entitled "An act to amend the charter of the town of Clinton, granting to the board of trustees of said town certain powers, and legalizing certain powers, and legalizing certain acts of said president and trustees of said town."

Also, enrolled act No. 189, entitled "An oct to place directors and other officers of Macadamized and gravel road companies organized under the laws of this State, whenever they may have be-

come creditors of such corporations, on equal terms with other creditors, in any and all suits for the collection of money due them, and to repeal all laws in conflict herewith."

Also, enrolled act No. 528, entitled "An act concerning the employment of short-hand reporters, regulating their duties, and providing that the original long-hand manuscript report of evidence may be used on appeal in certain cases."

Also, enrolled act No. 444, entitled "An act relating to the sale and conveyance of the property heretofore owned and occupied as a county jail, county seat and court-house of Perry county, situated at the town of Rome, in said Perry county, State of Indiana."

Also, enrolled act 198, entitled "An act to amend the 15th, 19th, 31st and 49th sections of an act approved May 12, 1869, entitled 'An act to provide for the organizatian of savings banks, and the safe and proper management of their affairs.'"

Also, enrolled act No. 303, entitled "An act to amend sections 2 and 6 of an act entitled 'An act providing for a geological survey and Mineralogical Cabinet of the natural history of this State, and creating the office of State Geologist, defining his duties, fixing his salary, and appropriating a sufficient amount of money to defray the necessary expenses of said survey, and for the collection and preservation of such cabinet,'" approved March 5, 1869.

Also, enrolled act No. 355, entitled "An act authorizing the auditors of Scott and Wayne counties to correct the reports made to the Superintendent of Public Instruction, relating to the school fund, common and congressional, as required by an act entitled 'An act requiring county auditors to make examination of the records in their offices, in relation to school funds, and make report, and providing compensation therefor,'" approved December 21, 1865, and declaring an emergency.

Also, enrolled act No. 489, entitled "An act to amend section 5 of an act entitled 'An act to incorporate the town of Huntington,'" approved February 16, 1848.

Also, enrolled act No. 534, entitled "An act legalizing the assessment and collection of the municipal taxes, for the years of 1871 and 1872, of the town of Somerset, in Wabash county."

Also, enrolled act No. 411, entitled "An act to amend section 44 of an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers and duties and matters properly connected therewith, and to prescribe the fees for certain officers therein named, and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith, providing penalties therein prescribed,'" approved March 6, 1865.

And that he has caused the same to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

Mr. Ogden, from the Committee on the Judiciary, submitted the following report:

Mr. Speaker:

The Committee on the Judiciary, to whom was referred Senate bill No. 222, entitled "A bill making it unlawful for any owner or owners, proprietor or proprietors, of billiard tables to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act," have had the same under consideration, and have directed me to report the same back with the recommendation that it pass.

Which report was concurred in.

Mr. Miller moved that the constitutional rule be suspended, the bill read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Barrett, Baxter, Billingsley, Blocher, Broaddus, Butterworth, Butts, Clark, Claypool, Cobb, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, North, Odle, Offutt, Ogden, Pfrimmer, Reeves, Reno, Richardson, Rudder, Satterwhite, Scott, Spellman, Teeter, Thayer, Tingley, Thompson, Tulley, Walker, Whitworth, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—62.

Those who voted in the negative were, Messrs. Givan, Henderson, Schmuck and Willard—4.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Billingsley, Blocher, Broaddus, Butts, Clark, Cobb, Eaton, Edwards (of Lawrence), Eward, Furnas, Glazebrook, Glasgow, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lenfesty, Lent, Martin, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Spellman, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—63.

Those who voted in the negative were, Messrs. Coffman, Durham, Givin, Henderson, Reno, Schmuck, Smith, Stanley, Thayer, Tulley and Willard—11.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Senate bill No. 325 was taken up—a bill for an act to authorize the Governor of the State of Indiana to exchange with Peter Donnelley certain lands therein described.

Mr. Teeter moved to suspend the constitutional rule, have the the bill read a second time by title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baxter, Barker, Blocher, Branham, Broaddus, Butterworth, Butts, Clark, Cline, Cobb, Cole, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Givan, Glasgow, Goble, Goudie, Gregory, Hardesty,

Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Lent, Martin, McConnell, McKinney, Miller, North, Odle, Ogden, Offutt, Pfrimmer, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Wynn and Mr. Speaker—71.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass ?

Those who voted in the affirmative were, Messrs. Barker, Baxter, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Crumpacker, Durham, Eaton, Furnas, Givan, Glasgow, Goble, Gondie, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Lent, McConnell, McKinney, Mellett, North, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—71.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill ?

It was so ordered.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

The Joint Committee on Enrolled Bills report that they have

carefully compared enrolled Senate bills Nos. 74, 206, 120, 250, 155 and 24, and find that the same are correctly enrolled.

Mr. Kimball was granted leave to withdraw the claims of Daniel Keely.

Engrossed Senate bill No. 239 was taken up—a bill authorizing incorporated cities containing a population of fifteen thousand, to make loans, and prescribing rules and regulations, concerning the borrowing of money by such cities.

Which bill was read a first time.

Mr. Kimball moved that the constitutional rule be suspended, the bill read a second time by its title, read a third by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Blocher, Branham, Broaddus, Butterworth, Brett, Cauthorn, Clark, Claypool, Coffman, Cole, Crumpacker, Durham, Eaton, Ellsworth, Gifford, Givan, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hedrick, Heller, Henderson, Isenhauer, Kimball, King, Lenfesty, Lent, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—67.

Those who voted in the negative were, Messrs. Miller, Reno and Schmuck—3.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Crumpacker, Durham, Eaton, Ed-

wards (of Lawrence), Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Lent, McConnell, McKinney, Mellett, North, Odle, Offutt, Ogden, Primmer, Prentiss, Reeves, Riggs, Richardson, Rumsey, Satterwhite, Schmuck, Scott, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—74.

Mr. Miller voting in the negative.

So the bill passed.

The question being, shall the title as read stand, as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill thereof, to-wit:

Engrossed Senate bill No. 267, entitled "A bill requiring license for certain purposes therein specified;" and the same is herewith transmitted to the House for its action thereon.

House bill No. 532 was taken up and read a second time.

Mr. Kimball moved that the constitutional rule be suspended, the bill considered as engrossed, read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Baker, Barrett, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Coffman, Cole, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Lenfesty, Lent, McConnell, McKinney,

Mellett, Miller, North, Odle, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Wynn and Mr. Speaker—79.

No one voting in the negative.

So the constitutional rule was suspended, the bill considered as engrossed, read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative, were Messrs. Barker, Barrett, Baxter, Billingsley, Branham, Butterworth, Butts, Cauthorn, Clark, Cline, Claypool, Cobb, Coffman, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glazebrook, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, King, Lenfesty, McConnell, McKinney, Miller, North, Odle. Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—79.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 34 was taken up—a bill to amend section 90 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the courts of this State," approved June 17, 1852, and declaring an emergency.

Which bill was read a first time.

Mr. Johnson moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative, were Messrs. Barker, Barrett, Baxter, Billingsley, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Coffman, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glazebrook, Goble, Goudie, Hardesty, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Offutt, Ogden, Prentiss, Reeves, Reno, Richardson, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—80.

Those who voted in the negative were, Messrs. Blocher, Bowser, Cline, Eward and Rumsey—5.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barrett, Billingsley, Branham, Butterworth, Clark, Claypool, Cline, Coffman, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glazebrook, Goble, Gregory, Hardesty, Hatch, Heller, Henderson, Isenhauer, Johnson, Kimball, King, Kirkpatrick, Lenfesty, Martin, McConnell, McKinney, Mellett, North, Odle, Offutt, Peed, Prentiss, Reeves, Richardson, Rudder, Satterwhite, Schmuck, Scott, Shirley, Shutt, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woollen, Wynn and Mr. Speaker—64.

Those who voted in the negative were Messrs. Blocher, Brett, Eward, Furnas, Goudie, Gronendyke, Reno, Whitworth and Willard—9.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 345 was taken up—a bill to amend section 40 of an act entitled "An act to divide the State into circuits for judicial purposes, fixing the time of holding courts therein, abolishing the Courts of Common Pleas, and transferring the business thereof to the Circuit Courts, and providing for the election of Judges and Prosecuting Attorneys in certain cases," approved March 6, 1873.

Which bill was read a first time.

Mr. Whitworth moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Barrett, Blocher, Branham, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Isenhauer, Johnson, Kimball, King, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—73.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Barker, Bar-

rett, Baxter, Billingsley, Branham, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glazebrook, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, King, Lenfesty, McConnell, McKinney, Miller, North, Odle, Offutt, Peed, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—70.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Engrossed Senate bill No. 346 was taken up—a bill fixing the time for holding the courts in the Thirty-Eighth Judicial Circuit, and to continue in force certain provisions of law applicable thereto, and declaring an emergency.

Which bill was read a first time.

Mr. Tulley moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Barker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Coffman, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Hoyer, Isenhauer, Kimball, Lenfesty, McKinney, Mellett, Miller, North, Odle, Peed, Prentiss, Reeves, Richardson, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Strange, Teeter, Thayer, Tingley, Thompson (of

Elkhart), Thompson (of Spencer), Troutman, Tulley, Wesner, Whitworth, Wood, Woodard, Wynn and Mr. Speaker—67.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, a third time by sections, and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Baker, Barrett, Baxter, Billingsley, Blocher, Branham, Brett, Buskirk, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Hoyer, Kimball, King, Lenfesty, McConnell, McKinney, Mellett, Miller, North, Peed, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woollen, Wynn and Mr. Speaker—73.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 24, entitled "An act to amend section 30 of an act entitled 'an act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties, and those of county and township officers in relation

thereto,'" approved December 25, 1865, and declaring an emergency.

Enrolled act of the Senate No. 155, entitled "An act to provide for the re-imbursement to certain counties therein named of certain taxes illegally assessed and collected for the year 1869, and paid into the State Treasury, and declaring an emergency."

Enrolled act of the Senate No. 250, entitled "An act to further prescribe the duties of the Secretary of State, and to provide for the necessary arrangements, clerks, and expense of his office."

Enrolled act of the Senate No. 120, entitled "An act to protect the ballot box, to procure a fair election, to define felonies and prescribe punishment therefor."

Enrolled act of the Senate No. 206, entitled "An act to encourage agriculture and agricultural fairs by the purchase and improvement of fair grounds."

Enrolled act of the Senate No. 74, entitled "An act to legalize the acts and proceedings of boards of county commissioners in certain cases, and declaring an emergency."

Mr. Martin was granted leave of absence for the remainder of the session.

The Speaker announced that he had signed enrolled Senate acts Nos. 24, 155, 250, 120, 206 and 74.

Senate Joint Resolution No. 16 was taken up—a joint resolution in relation to railroad companies and corporations, and defining the duties and giving direction to the Attorney General as to suits and proceedings now pending, and which may hereafter be brought.

Mr. Branham offered the following amendment:

Provided, that any suit or suits now pending, or which may hereafter be brought, shall be dismissed, adjusted, settled or compromised, whenever the same shall be directed in writing by the Governor and Lieutenant Governor, and upon such terms and conditions as they shall direct.

Which amendment was adopted.

The question being, shall the joint resolution as amended be adopted?

Those who voted in the affirmative were, Messrs. Barrett, Baxter, Billingsley, Blocher, Branham, Broaddus, Butterworth, Cauthorn, Clark, Cobb, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Gifford, Glazebrook, Goble, Gregory, Gronendyke, Hedrick, Henderson, Hollingsworth, Jones, Kimball, King, McConnell, Mellett, North, Offutt, Peed, Riggs, Rumsey, Satterwhite, Shutt, Spellman, Stanley, Strange, Thayer, Thompson (of Elkhart), Tingley, Troutman, Tulley, Walker, Wesner, Whitworth, Willard, Wilson (of Blackford), Woodard, Woollen and Mr. Speaker—55.

Those who voted in the negative were, Messrs. Barker, Buskirk, Claypool, Coffman, Ellsworth, Furnas, Goudie, Isenhauer, Kirkpatrick, McKinney, Miller, Reno, Richardson and Scott—14.

So the joint resolution was adopted.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Engrossed Senate joint resolution No. 11 was taken up and read—a joint resolution instructing our Senators and requesting our Representatives in Congress to use all proper means to secure the establishment of a district court for Northern Indiana, at the city of Fort Wayne; also, a distributing post-office at said city, and obtain an appropriation for the erection of a suitable building for the purpose contemplated by said resolution.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Barrett, Baxter, Blocher, Bowser, Branham, Broaddus, Clark, Claypool, Cline, Cobb, Coffman, Cole, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Gregory, Gronendyke, Henderson, Hollingsworth, McConnell, McKinney, Mellett, North, Odle, Peed, Prentiss, Reeves, Reno, Riggs, Satterwhite, Scott, Shirley, Shutt, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Whitworth, Wilson (of Blackford), Wood, Woodard and Woollen—49.

Those who voted in the negative were, Messrs. Barker, Billingsley, Buskirk, Crumpacker, Durham, Givan, Goudie, Hatch, Hedrick, Isenhauer, King, Kirkpatrick, Miller, Offutt, Richardson, Rumsey, Smith and Troutman—30.

So the joint resolution failed to pass for want of a constitutional majority.

Engrossed Senate bill No. 293 having failed to pass for want of a constitutional majority this a. m., was taken up and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were Messrs. Baker, Baxter, Billingsley, Broaddus, Buskirk, Butterworth, Butts, Cauthorn, Clark, Cobb, Cole, Durham, Edwards (of Lawrence), Gifford, Givan, Glasgow, Gronendyke, Hardesty, Hedrick, Hollingsworth, Johnson, Jones, Kimball, King, Kirkpatrick, Lenfesty, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Scott, Shirley, Stanley, Strange, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Wynn and Mr. Speaker—56.

Those who voted in the negative were, Messrs. Barker, Barrett, Bowser, Branham, Brett, Claypool, Cline, Coffman, Crumpacker, Eaton, Ellsworth, Eward, Furnas, Glazebrook, Goble, Goudie, Gregory, Hatch, Heller, Henderson, Isenhauer, McConnell, McKinney, Richardson, Rudder, Shutt, Smith, Spellman, Whitworth and Willard—30.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

On motion of Mr. Blocher, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant th adjournment, with the Speaker in the chair.

Mr. Cobb, chairman of the Committee on Enrollld Bills, submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared with the engrossed copy, enrolled House bill No. 224, and find the same correctly enrolled.

The Speaker announced that he had signed enrolled House act No. 224.

Enrolled Senate bill No. 204 was taken up—a bill to amend the 15th section of an act entitled "An act prescribing the manner of compelling officers to give new and additional sureties," approved May 31, 1852.

Which bill was read a first time.

Mr. Smith moved that the constitutional rule be suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were Messrs. Anderson, Barker, Baxter, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cobb, Coffman, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Isenhauer, Kimball, King, Kirkpatrick, McConnell, McKinney, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen and Mr. Speaker—69.

No one voting in the negative.

So the constitutional rule was suspended, the bill read a second time by its title, read a third time by sections and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Goudie, Gregory, Gronendyke, Hedrick, Heller, Henderson, Isenhauer, Jones, Kimball, McConnell, McKinney, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Tingley, Thompson (of Elkkart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Wood, Woodard, Woollen, Wynn and Mr. Speaker—75.

No one voting in the negative.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

Mr. Thompson, of Elkhart, from the Committee on Corporations, submitted the following report:

Mr. Speaker:

The Committee on Corporations, to whom was referred Senate bill No. 73—have had the same under consideration, and have directed me to report the same back with the recommendation that it pass.

Which report was concurred in and the bill read a second time.

Mr. Thompson, of Elkhart, moved that the constitutional rule be suspended, the bill read a third time and put upon its passage.

The question being, shall the constitutional rule be suspended?

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Branham, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Goble, Goudie, Gregory, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Jones, Kimball, King, McConnell, McKinney, Mellett, Miller, North, Offutt, Peed, Reeves, Reno, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Scott, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Woodard, Woollen, Wynn and Mr. Speaker—69.

Those who voted in the negative were, Messrs. Durham, Eaton and Gronendyke—3.

So the constitutional rule was suspended, the bill read a third time and put upon its passage.

The question being, shall the bill pass?

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Blocher, Branham, Brett, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eward, Furnas, Gifford, Givan, Glasgow, Goudie, Gronendyke, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, McConnell, McKinney, Mellett, Miller, North, Prentiss, Reeves, Richardson, Schmuck, Scott, Smith, Spellman, Stanley, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Walker, Wilson (of Blackford), Woollen, Wynn and Mr. Speaker—52.

Those who voted in the negative were, Messrs. Baker, Barker, Coffman, Edwards (of Lawrence), Ellsworth, Goble, Hardesty, Hatch, Hedrick, Kirkpatrick, Offutt, Peed, Reno, Riggs, Rudder, Rumsey, Satterwhite, Shirley, Shutt, Tulley, Tingley, Troutman, Wesner, Whitworth, Willard, Wood and Woodard—27.

So the bill passed.

The question being, shall the title as read stand as the title of the bill?

It was so ordered.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following bills, to-wit:

Enrolled act of the House of Representatives No. 476, entitled "An act relating to prosecutions by affidavit and information."

Enrolled act of the House of Representatives No. 195, entitled "An act to amend the 1st section of an act entitled 'An act to incorporate the University of Notre Dame Du Lac, at South Bend, St. Joseph county, Indiana,'" approved January 15, 1844.

Enrolled act of the House of Representatives No. 434, entitled "An act supplemental to an act concerning license to vend foreign merchandize to exibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain," approved June 15, 1852.

Enrolled act of the House of Representatives No. 504, entitled an act supplementary and amendatory of an act entitled "An act to provide for a uniform assessment of property, and for the collection and return of taxes thereon," approved Dec. 21, 1872.

Enrolled act of the Senate No. 48, entitled—an act to amend sections 1, 7 and 8, of an act entitled "An act to establish a home for the maintenance of sick and disabled Indiana soldiers and seamen, and their orphans and widows," approved March 11, 1867, and section 2 of an act supplementary thereto, approved May 14, 1869.

And the same have been placed in the hands of the Joint Committee on Enrolled Bills, in compliance with Joint Rule No. 4.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed, with the accompanying engrossed amendments, the following bill, to-wit:

Engrosstd House bill No. 436, entitled—a bill to amend sections 109, 110, 111 and 118 of an act entitled "An act to provide for a

general system of common schools, the officers thereof and their respective powers and duties," &c., approved March 6, 1865.

And the same is herewith returned to the House.

Also, I am directed by the Senate to inform the House that the Senate has passed with the accompanying engrossed amendments the following bill, to-wit:

Engrossed House bill No. 531, entitled—a bill making general appropriations for 1873 and 1874.

And the same is herewith returned to the House.

Mr. Peed moved to reconsider the vote by which Senate bill No. 293 passed the House.

Which motion was passed over informally.

The engrossed Senate amendments to House bill No. 531 were taken up.

Engrossed Senate amendments to House bill No. 531:

Amend section 22, line 21, by striking out "one thousand dollars," and insert in lieu thereof "twenty-two hundred dollars for Governor's Private Secretary.

Also, strike out all of section 11 as relates to public printing and insert in lieu thereof the following:

"For public printing, paper and binding the sum of thirty thousand dollars is hereby appropriated for the year of 1873; out of this appropriation shall be printed, under the direction of the State Board of Agriculture, the reports of the Board for the aforesaid year; also the reports of the State Horticultural Society for the year aforesaid, and Geological Reports for same year."

Also, amend section 19 so as to read "three thousand," instead of "five thousand."

Also, amend section 22 second clause, by striking out all as relates to public printing, and insert the following:

"For public printing and binding the sum of twenty thousand dollars is hereby appropriated for the year 1874; out of this appropriation shall be printed, under the direction of the State Board

of Agriculture, the reports of the Board for the aforesaid year, also, the reports of the State Horticulture Society for the year aforesaid, and Geological Reports for the same year.

Also, amend section 24 by striking out the words "sixty-five thousand," and insert in lieu thereof the words "forty thousand."

Also, amend section 26 so as to read as follows: "Indiana Soldiers, Seamen and Orphans' Home.

Amend section 27 by striking out the words "twenty-five thousand," and insert in lieu thereof "twenty thousand."

Also, amend section 29 by striking out the words "sixty-seven thousand five hundred," and insert in lieu thereof the words "forty-five thousand."

Also, amend section 30 by striking out all after the word "dollars," in line 9.

Amend section 31 so as to read "Indiana Soldiers, Seamen and Orphans' Home."

Also, amend section 32 by striking out the words "thirty-seven thousand five hundred," and insert in lieu thereof the words "twenty thousand."

Also, amend by striking out sections 10, 21, 36, 39, 43, 44, and 45.

Also, amend by striking out all after the word "officers," in section 49 in the 11th line.

Also, amend by adding the following sections:

Sec. 41. For the incidental expenses of the State Horticultural Society for the years 1873 and 1874, the sum of $500 is hereby appropriated, to be drawn on the order of the President of such Society each year.

Sec. 42. The Treasurer of State shall be allowed an additional clerk at a salary not exceeding one thousand dollars per annum.

Sec. 43. To John C. Shoemaker, for incidental expenses of Auditor of State's office for the years 1871 and 1872, the sum of three thousand dollars.

To James B. Ryan, for incidental expenses of the Treasurer of State's office, to include the cost of exchange on the transmission of funds to New York, for the years 1871 and 1872, two thousand dollars.

Also, amend section 2, line 34, by striking out the words "three thousand," and insert in lieu thereof "four thousand dollars; and further amend said section 2, line 35, by striking out the words "fifteen thousand dollars," and inserting in lieu thereof the words "twenty thousand."

Also, amend section 46, original number, in line 4, by striking out the words "seventy-six thousand dollars," and inserting in lieu thereof the words "ninety-five thousand dollars for Judges of Circuits."

Which amendments were read and acted upon separately.

The 1st amendment proposed by the Senate was considered by the House and not concurred in.

The second amendment proposed by the Senate was not concurred in.

The fourth amendment proposed by the Senate was concurred in.

The fifth amendment proposed by the Senate was not concurred in.

The sixth amendment proposed by the Senate was concurred in.

The seventh amendment proposed by the Senate was not concurred in.

The eighth amendment proposed by the Senate was not concurred in.

The ninth amendment proposed by the Senate was not concurred in.

The tenth amendment proposed by the Senate was concurred in.

The eleventh amendment proposed by the Senate was not concurred in.

The twelfth amendment proposed by the Senate was not concurred in.

The thirteenth amendment proposed by the Senate was not concurred in.

The fourteenth amendment proposed by the Senate was not concurred in.

The question being, shall the fifteenth amendment proposed by the Senate be concurred in?

Messrs. Offutt and Billingsley demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Anderson, Baker, Billingsley, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Kimball, King, Kirkpatrick, Lent, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden Peed, Prentiss, Reeves, Richardson, Riggs, Rumsey, Scott, Shirley, Shutt, Smith Spellman, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—72.

Those who voted in the negative were, Messrs. Baker, Durham, Ellsworth, Jones, Offutt, Pfrimmer, Reno, Schmuck and Tulley--9

So the fifteenth amendment proposed by the Senate was concurred in.

The sixteenth amendment proposed by the Senate was not concurred in.

The seventeenth amendment proposed by the Senate was concurred in.

The eighteenth amendment proposed by the Senate was concurred in.

The nineteenth amendment proposed by the Senate was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have examined enrolled Senate bill No. 176, and find the same correctly enrolled.

Also, your Joint Committee on Enrolled Bills report, that this, the 8th day of March, 1873, enrolled House bills Nos. 504, 476, 195, 339 and 434, and Senate enrolled act No. 48, have been presented to the Governor for his approval and signature.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to inform the House that his Excellency has approved and signed enrolled act No. 55, entitled "An act to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof and their respective powers, and duties and matters properly connected therewith; and prescribing the fees of certain officers therein named; and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto.

Also, enrolled act No. 87, entitled "An act to amend an act entitled 'An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties and matters properly connected therewith; and prescribing the fees for certain officers therein named; and for the establishment and regulation of township libraries, and to repeal all laws inconsistent therewith; providing penalties therein prescribed,'" approved March 6, 1865, and adding supplemental sections thereto.

Also, enrolled act No. 138, entitled "An act to authorize cities and towns to negotiate and sell bonds, to procure means with which to erect and complete school buildings, and to purchase any

ground and building for school purposes, and to pay debts contracted for such erection, and completion and purchase of buildings and grounds, and authorizing the levy and collection of an additional special school tax for the payment of such bonds."

Enrolled act to amend the first section of an act entitled "An act to incorporate the University of Notre Dame Du Lac, at South Bend, St. Joseph county, Indiana," approved January 15, 1844.

Also, enrolled act No. 476, entitled "An act relating to prosecutions by affidavit and information."

Also, enrolled act No. 434, entitled "An act supplemental to an act entitled 'An act concerning license to vend foreign merchandize to exibit any caravan, menagerie, circus, rope and wire dancing, puppet show and legerdemain,'" approved June 16, 1852; and that he has caused the same to be deposited in the office of Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee report that they have examined enrolled Senate bill No. 333, and find the same is correctly enrolled.

Mr. Peed was granted leave to withdraw his motion to reconsider the vote by which Senate bill No. 293 passed the House.

The following message was received from the Senate by the Secretary thereof:

MR SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has receded from its amendments to engrossed House bill No. 530, entitled "A bill to raise revenue for State purposes, for the years 1873 and 1874;" and the same is herewith returned to the House not compared.

Mr. Woollen, from the Select Committee appointed by the House to examine and prepare such amendments as were thought to be necessary, to the Constitution of the State, and report such proposed amendments to the House during the present session, submitted the following report and joint resolution:

Mr. Speaker:

The Select Committee of the two Houses, for the purpose of proposing amendments to the Constitution of the State, have agreed to the following, and submit the same to the House for its action thereon.

House Joint Resolution No. 22—a joint resolution proposing amendments to the Constitution of the State.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend article 2, section 2, to read as follows:

Sec. 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the State during the twelve months, and in the county three months immediately preceding such election, and every male citizen of foreign birth of the age of twenty-one years and upwards, who shall have resided in the State during the twelve months, and in the county three months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he shall have resided for the thirty days immediately preceding such election. Which was ordered to be spread upon the journal, and was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isen-

hauer, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Pfrimmer, Prentiss, Reeves, Richardson, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Shutt, Smith, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Tingley, Troutman, Tulley, Walker, Whitworth, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—77.

Those who voted in the negative were, Messrs. Blocher, Claypool, Cline, Coffman, Gregory, McKinney, Reno and Willard—8.

The question being, will the House agree to adopt the amendment to the Constitution of the State of Indiana, which is as follows:

Amend by striking out section 5 of article 2.

Which was ordered to be spread upon the journal, and was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cobb, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Tulley, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—68.

Those who voted in the negative were, Messrs. Blocher, Clay pool, Cline, Coffman, Gregory, Pfrimmer, Reno, Richardson, and Whitworth—9.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend section 4 of article 4, by striking out of the same the word "white."

Which was ordered to be spread upon the journal, and which was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Crumpacker, Durham, Edwards (of Lawrence), Eward, Furnas, Gifford, Glazebrook, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, Mellett, Miller, North, Odle, Offutt, Ogden, Peed, Pfrimmer, Prentiss, Reeves, Riggs, Rumsey, Satterwhite, Shirley, Spellman, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—69.

Those who voted in the negative were, Messrs. Baker, Gregory, McKinney, Reno, Richardson and Whitworth—6.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend section 5 of article 4, by striking out of the same the word "white."

Which was ordered to be spread upon the journal, and was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Billingsley, Branham, Brett; Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Cobb, Cole, Cowgill, Crumpacker, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Jones, Kimball, King, Kirkpatrick, Lent, McConnell, Miller, North, Odle, Offutt, Ogden, Pfrimmer, Reeves, Riggs, Rudder, Rumsey, Satterwhite, Schmuck, Shirley, Spellman, Stanley, Teeter, Thayer, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—67.

Those who voted in the negative were, Messrs. Baker, Blocher, Claypool, Coffman, Eaton, McKinney, Reno, Richardson and Wesner—9.

The question being, will the House agree to adopt the proposed amendments to the Constitution of the State of Indiana, which is as follows:

Amend section 18 of article 4, to read as follows:

Sec. 18. Every bill shall be read on three several days in each House, unless in case of emergency a majority of all the members elected to the House where such bill may be depending shall by a vote of yeas and nays deem it expedient to dispense with this rule, but the reading of a bill by sections on its final passage shall in no case be dispensed with, and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

Which was ordered to be spread upon the journal, and was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Barker, Baker, Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cline, Cobb, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glazebrook, Goble, Hatch, Hedrick, Henderson, Hollingsworth, Isenhauer, King, Kimball, Kirkpatrick, North, Odle, Peed, Pfrimmer, Prentiss, Reeves, Riggs, Satterwhite, Scott, Shirley, Spellman, Thompson (of Elkhart), Troutman, Walker, Wilson (of Blackford), Willson (of Ripley), Woodard, Woollen, Wynn and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Blocher, Butts, Claypool, Coffman, Cole, Ellsworth, Glasgow, Glazebrook, Goudie, Gregory, Gronendyke, Heller, Lent, McConnell, McKinney, Mellett, Miller, Offutt, Ogden, Reno, Rudder, Satterwhite, Smith, Stanley, Thayer, Tingley, Tulley, Whitworth, Willard and Wood—33.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Section 11, article 4, shall be amended to read as follows, to-wit:

SEC. 11. A majority of each House shall constitute a quorum to do business, but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either House fail to effect an organization within the first five days thereafter, the members of the House so failing, shall be entitled to no compensation, from the end of the said five days until an organization shall have been effected.

Which was ordered to be spread upon the journal, and which was not adopted for the want of a constitutional majority.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Goudie, Henderson, Hollingsworth, Isenhauer, Johnson, Jones, Kimball, King, Kirkpatrick, North, Odle, Prentiss, Reeves, Riggs, Satterwhite, Scott, Shirley, Stanley, Spellman, Teeter, Thayer, Tingley, Thompson (of Elkhart), Troutman, Walker, Wesner, Whitworth, Wilson (of Blackford), Willson (of Ripley), Woodard, Woollen and Wynn—49.

Those who voted in the negative were, Messrs. Barker, Claypool, Coffman, Ellsworth, Givan, Glazebrook, Gregory, Gronendyke, Hardesty, Heller, Lent, McConnell, McKinney, Mellett, Miller, Offutt, Ogden, Peed, Reno, Richardson, Rudder, Rumsey, Shutt, Smith, Spellman, Thompson (of Spencer), Tulley, Willard and Mr. Speaker—30.

Pending the consideration of joint resolution No. 22, on motion of Mr. Blocher, the House adjourned until 7:30 o'clock p. m.

NIGHT SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

House Joint Resolution No. 22, pending the consideration of which the House adjourned, was resumed.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend section 25, of article 4, to read as follows:

SEC. 25. A majority of the members elected to each House shall be necessary to pass every bill or joint resolution, and every bill to district the State for legislative purposes shall further require a vote of two-thirds of each House present and voting, and all bills and joint resolutions so passed shall be signed by the presiding officers of the respective Houses.

Which was ordered to be spread upon the journal, and which was not adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Bowser, Broaddus, Clark, Cowgill, Crumpacker, Hardesty, Hatch, Hedrick, Hollingsworth, McConnell, North, Rudder, Satterwhite, Shirley, Shutt, Teeter, Thompson (of Elkhart), Wesner, Wilson (of Blackford), Willson (of Ripley), Woodard, Woollen and Mr. Speaker—26.

Those who voted in the negative were, Messrs. Baker, Barker, Blocher, Branham, Butterworth, Claypool, Cline, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Heller, Henderson, Isenhauer, Johnson, King, McKinney, Miller, Odle, Offutt, Ogden, Pfrimmer, Reeves, Reno, Richardson, Riggs, Schmuck, Scott, Smith, Stanley, Tingley, Thompson (of Elkhart), Troutman, Tulley, Willard, Wood and Wynn—45.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend section 29, article 4, to read as follows:

SEC. 29. The members of the General Assembly shall receive for their services a compensation to be fixed by law, but no increase of compensation shall take effect during the session at which such increase may be made. No session of the General Assembly shall extend beyond the term of one hundred days, nor any special session beyond the term of forty days.

Which was ordered to be spread upon the journal, and which failed to be adopted for the want of a constitutional majority.

Those who voted in the affimative were, Messrs. Baker, Barker, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Claypool, Cline, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Glasgow, Goble, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Isenhauer, King, Odle, Offutt, Pfrimmer, Richardson, Riggs, Satterwhite, Schmuck, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—49.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Blocher, Crumpacker, Furnas, Givan, Glazebrook, Hollingsworth, Kirkpatrick, McConnell, McKinney, Miller, Ogden, Reeves, Reno, Rudder, Scott, Shirley, Shutt, Smith, Stanley, Troutman and Tulley—23.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend Section 2, Article 7, to read as follows:

Sec. 2. The Supreme Court shall consist of not less than five nor more than seven Judges, a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long behave well: *Provided*, That the Judges elected at the first election after the taking effect of this amendment shall be divided by lot into three classes, as nearly as may be, the fraction to be in the last class; and the seats in the first class shall be vacated at the expiration of two years; those of the second class at the expiration of four years, and those of the third class at the expiration of six years, so that one-third, as nearly as practicable, shall be chosen biennially forever thereafter.

Which was ordered to be spread upon the journal, and which was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Billingsley, Bowser, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpack-

er, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Glasgow, Glazebrook, Goble, Goudie, Gregory, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Johnson, Kimball, King, Kirkpatrick, McConnell, McKinney, Mellett, Miller, North, Odle, Ogden, Pfrimmer, Reeves, Riggs, Rudder, Satterwhite, Schmuck, Shirley, Shutt, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Whitworth, Willard, Wilson (of Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—66.

Those who woted in the negative were, Messrs. Baker, Barrett, Givan, Hollingsworth, Isenhauer, Offutt, Reno, Richardson, Scott, Stanley, Troutman and Tulley—12.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend by striking out all of the sections in Article 13, and inserting in lieu thereof the following section:

Section 1. No political or municipal corporation in this State shall ever become indebted, in any manner, or for any purpose, to an amount in the aggregate exceeding five per centum per annum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county purposes, previous to the incurring of such indebtedness, and all bonds or obligations in excess of such amount given by such corporations shall be void.

Which was ordered to be spread upon the journal, and was adopted by the following vote:

Those who voted in the affirmative, were Messrs. Barker, Barrett, Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Cauthron, Clark, Claypool, Cline, Cobb, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Furnas, Gifford, Givan, Glasgow, Glazebrook, Goble, Goudie, Hardesty, Heller, Henderson, Hollingsworth, Kimball, King, McConnell, McKinney, Miller, North, Odle, Offutt, Pfrimmer, Reeves, Satterwhite, Schmuck Shirley, Shutt, Smith, Stanley, Teeter, Tingley, Thompson (of Spencer), Troutman, Tulley, Whitworth, Willard, Wilson (of

Blackford), Willson (of Ripley), Wood, Woodard, Woollen, Wynn and Mr. Speaker—60.

Those who voted in the negative were, Messrs. Anderson, Butterworth, Glazebrook, Gregory, Kirkpatrick, Ogden, Reno, Richardson, Riggs, Rudder, Scott, Thayer and Thompson, (of Elkhart)—13.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report this 8th day of March, 1873, they presented to the Governor Enrolled Senate bills Nos. 206, 250, 155, 120, 74 and 224 for his approval and signature.

Your Joint Committee on Enrolled Bills report that they have compared Enrolled Senate bills Nos. 222, 117, 300 and 292 and find the same correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to herewith transmit to the House of Representatives, for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 117, entitled—an act regulating the granting of divorces, nullification of marriages, and decrees and orders of courts incident thereto, and repealing all laws conflicting with this act, and declaring an emergency.

Enrolled act of the Senate No. 222, entitled—an act making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act.

Enrolled act of the Senate No. 333, entitled—an act for the relief of indigent cripples of the State of Indiana.

Enrolled act of the Senate No. 176, entitled—an act supplemental to and repealing section 13 of an act entitled "An act to estab-

lish public libraries," approved Feb. 16, 1852, defining the powers of cities in relation thereto, providing for the collection of fines and forfeitures imposed by library associations, and permitting other corporations to take stock in the same.

Enrolled act of the Senate No. 300, entitled—an act for the relief of the Lye Creek Draining Association.

Also, Enrolled act of the Senate No. 292, entitled—an act regulating the fees of county officers, providing penalties for its violation, repealing certain acts therein named, and providing duties to be performed by State, county and township officers, and matters properly connected therewith, and declaring an emergency.

Enrolled act of the Senate No. 346, entitled—an act to amend the 15th section of an act entitled "An act prescribing the manner of compelling officers to give new bonds and additional sureties," approved May 31, 1852.

Enrolled act of the Senate No. 346, entitled—an act fixing the time for holding the courts in the 38th Judicial Circuit, and to continue in force certain provisions of law applicable thereto, and declaring an emergency.

Also, I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts, to-wit:

Enrolled act of the Senate No. 74, entitled—an act to legalize the acts and proceedings of Boards of County Commissioners in certain cases, and declaring an emergency.

Enrolled act of the Senate No. 120, entitled—an act to protect the ballot box, to procure a fair election, to define felonies, and prescribe penalties therefor.

Enrolled act of the Senate No. 155, entitled—an act to provide for the reimbursement to certain counties therein named of certain taxes illegally paid into the State Treasury, and declaring an emergency.

Enrolled act of the Senate No. 250, entitled—an act to further prescribe the duties of the Secretary of State and to provide for the necessary arrangements, clerks and expenses of his office.

Enrolled act of the Senate No. 24, entitled—an act to amend section 30 of an act entitled "An act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto," approved Dec. 20, 1865, and declaring an emergency.

Enrolled act of the Senate No. 206, entitled—an act to encourage agriculture and agricultural fairs by the purchase and improvement of fair grounds.

Enrolled act of the House of Representatives No. 224, entitled —an act to amend the 1st section of an act, approved Jan. 14, 1846, entitled "An act to incorporate the Female Seminary of St. Marys of the Woods, in Vigo county, Indiana," by authorizing schools for youth, orphan asylum, a hospital, and other works of charity of said corporation.

And the same have been placed in the hands of the Joint Committee on Enrolled Bills in compliance with Joint Rule No. 4.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 532, entitled—a bill authorizing the Governor, Auditor and Treasurer of State to make temporary loans.

Engrossed House bill No. 241, entitled—a bill to give security to persons who contract with railroad corporations to perform work and labor in the construction of railroads, and declaring an emergency.

Engrossed House bill No. 453, entitled—a bill to legalize the incorporation of the town of Kentland, Newton county, Indiana, and the official acts of the several Boards of Trustees of said town and all other officers of said corporation, under an act for the incorporation of towns, defining their powers, providing for the election of the officers thereof, and declaring their duties, approved June 11, 1852, and all by-laws, rules, regulations and proceedings, adopted in insurance thereof.

Engrossed House bill No. 377, entitled—a bill declaratory of the law of this State as to the elligibility of women to certain offices therein mentioned.

And the same are herewith returned to the House.

Also, I am directed by the Senate to inform the House that the Senate still refuses to recede from its amendments to House bill No. 526, entitled—a bill to provide for public printing.

And the Senate respectfully asks the appointment of a Free Conference Committee, and that the Senate has appointed on said committee Messrs. Chapman, Fuller and Beardsley.

Also, I am directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 495, entitled " A bill to amend section 1 of an act entitled ' An act to amend sections 9, 10, 18, 19, 23, 24, and 33, of an act entitled an act to incorporate the town of Vernon, Jennings county, Indiana,' approved January 2d, 1857," approved December 20th, 1865, and to legalize certain ordinances of said corporation.

The message of the Senate in relation to the refusal of the Senate to recede from its amendments to House bill No. 526, was taken up, and the Speaker appointed as a Free Conference Committee on the part of the House, Messrs. Walker, Jones and Eward.

The Speaker announced that he had signed enrolled Senate acts Nos. 333, 222, 117, 176, 300, 346, 204, and 292.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed, with the accompanying engrossed amendments, the following bill, to-wit:

Engrossed House bill 535, entitled " A bill making specific appropriations for the year 1873," and the same is herewith returned to the House.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have compared enrolled House bills No. 530, 204, 346, and find the same correctly enrolled.

The following engrossed Senate amendments to House bill No. 436 were taken up:

Engrossed Senate amendments to House bill No. 436:

Amend section 1 by inserting after the figures "1865," the words "amended by an act amendatory thereof, which took effect March 11, 1867."

Also, amend section 2 by inserting after the word "act," in line one, tha words "as amended by said amendatory act of 1867."

Also, amend section 3 by inserting in line 2, after the words "as amended by amendatory act of 1867."

Also, amend section 4 by inserting in line 1, after the word "act," the words "as amended by said amendatory act of 1867."

Also, amend the title by inserting after the figures "1865," in line 6, these words: "as amended by an act which took effect March 11, 1867."

Which amendments were concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they, this 8th day of March, 1873, presented to the Governor House bills Nos. 495, 532, 377, 241, and 453, for his approval and signature.

The following engrossed Senate amendments to engrossed House bill No. 241, were taken up:

Engrossed Senate amendments to engrossed House bill No. 241:

Amend section 1 by striking out all after the word "therefore," in line 9, page 3, and insert the following: "*Provided*, That the

provisions of this act shall not apply to work done, or material furnished for railroad corporations whose roads are inoperative."

Amend by inserting after section 1 the following as an additional section:

SEC. 2. Any person desiring to acquire such lien shall give notice of his intention to hold such lien, by causing a notice thereof to be recorded in the recorder's office of the proper county, in the same manner, and within the same time, as is provided by law for giving notice of mechanics' liens; and any person having given such notice within the proper time, may enforce such liens in the same manner as mechanics' liens are enforced.

Change the number of section 2, in engrossed bill, to section 3, and section 3 to section 4.

Which amendments were concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has receded from its amendments to engrossed House bill No. 531, "An act making general appropriations for the years 1873 and 1874," numbered 1, 3, 4 and 5; and that the Senate has also receded from its amendments striking out sections 10 and 21 of the bill, and the Senate respectfully asks the concurrence of the House in the remaining amendments thereto.

Mr. Cauthorn moved to reconsider the vote by which Senate joint resolution No. 11 failed to pass.

Which motion was passed over informally.

The Speaker announced that he had signed enrolled House acts Nos. 530 and 377.

The following engrossed Senate amendments to engrossed House bill No. 535 were taken up:

Engrossed Senate amendments to House bill No. 535:

Amend by adding the following sections:

Sec. —. That Weams Heagy be allowed the sum of seven dollars and forty cents in full, as witness, in the case of Cline vs. Burson.

Sec. —. That Caleb Johnson be allowed the sum of nine dollars and fifty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Joseph T. Kirkwood be allowed the sum of fourteen dollars and twenty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Richard Lake be allowed the sum of five dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That Simon Kinght be allowed the sum of twenty-four dollars and eighty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Geo. W. McGrow be allowed the sum of nine dollars and sixty cents, as witness in the case of Cline vs. Burson.

Sec. —. That A. K. Rockenfield be allowed the sum of five dollars and eighty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Howell D. Thompson be allowed the sum of fourteen dollars and ten cents, as a witness in the case of Cline vs. Burson.

Sec. —. That James Daugherty be allowed the sum of eleven dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That Speigle and Thoms be allowed the sum of seventy-seven dollars, for furniture furnished the Senate at special session.

Sec. —. That William Shilder be allowed the sum of fourteen dollars, as witness in the case of Cline vs. Burson.

Sec. —. That Wm. Scott be allowed the sum of five dollars and sixty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Thomas N. Stillwell be allowed the sum of six dollars and sixty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Fleming S. Luse be allowed the sum of five dollars and ten cents, as a witness in the case of Cline vs. Burson.

Sec. —. That Benj. F. Beeson be allowed the sum of nine dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That William S. Robinson be allowed the sum of five dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That Cornelius Daugherty be allowed the sum of thirty dollars, as constable in the case of Cline vs. Burson.

Sec. —. That Wm. H. H. Terrell be allowed the sum of two hundred and fifty dollars, for services rendered the State in procuring payment of claim against general government.

Sec. —. That Julius Bœtticher be allowed the sum of sixty dollars, for the *Volksblatt* furnished in the Senate during the special session 1872.

Sec. —. That Osborn and Calkins be allowed the sum of four hundred dollars, for services performed for the State by the employment of the Governor.

Sec. —. That Adams & Mansur be allowed the sum two hundred and fifty dollars and fifty cents, for material furnished the Senate at special session.

Sec. —. That O. M. Eddy be allowed the sum of nine hundred and ninety dollars and ten cents, for extra work done in the office of the Secretary of State.

Sec. —. That the Indianapolis Journal Company be allowed the sum of five hundred and ninety-four dollars and twenty-seven cents, for copies of journals furnished at present session.

Sec. —. That James Alexander be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Daniel Buchannan be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That James Alexander be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Daniel Buchannan be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That James Alexander be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Daniel Buchannan be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That Jesse Faulkner be allowed the sum of eleven dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That A. G. Kirkwood be allowed the sum of eleven dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That James Readon be allowed the sum of seventeen dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That George Benny be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Daniel Hial be allowed the sum of eleven dollars and thirty cents, as witness in the case of Cline vs. Burson.

Sec. —. That John T. Robinson be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That George W. Robinson be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Wm. N. Jackson be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That C. W. Riggs be allowed the sum of twelve dollars, as witness in the case of Cline vs. Burson.

Sec. —. That William Beeson be allowed the sum of nine dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That W. I. Faulkner be allowed the sum of fourteen dollars and ten cents, as witness in the case of Cline vs. Burson.

Sec. —. That George W. Taylor be allowed the sum of fourteen dollars and nine cents, as witness in the case of Cline vs. Burson.

Sec. —. That Lewis P. Everet be allowed the sum of nine

dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That William W. Walker be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That S. A. Wilson be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That S. T. Brady be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec, —. That Aaron Manning be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That Eber G. Groves be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That W. H. H. H. Hatfield be allowed the sum of twelve dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That John A. Gilbert be allowed the sum of fourteen dollars and ninety cents, as witness in the case of Cline vs. Burson.

Sec. —. That Henry C. Cline be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

Sec. —. That A. E. and W. H. Drapier be allowed for the same number of copies of the Brevier Legislative Reports of the special session and regular session of the Forty-eighth General Assembly as have been furnished ever since 1857, the same price per page for the last several volumes.

Sec. —. That John Jones be allowed the sum of five dollars for raising coal from the cellar of the State House, for the use of the Senate.

Sec. —. That John F. Ferris be allowed the sum of fifteen dollars, for ten days' services as stationery clerk of the Legislature

Sec. —. That R. S. Sproule be allowed the sum of fifty dollars for ten days' services as stationery clerk of the Legislature.

SEC. —. That Henry Crawford be allowed the sum of five hundred dollars in full for professional services in the State ex rel. vs. L., N. A. & C. Railroad, in the Floyd Common Pleas Court and in the Supreme Court.

SEC. —. That James V. Blunt be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

SEC. —. That Walter Everts be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

SEC. —. That John M. Bussey be allowed the sum of twelve dollars and ninety cents, as witness in the case of Cline vs. Burson.

SEC. —. That George W. Hawk be allowed the sum of nine dollars and ninety cents, as witness in the case of Cline vs. Burson.

SEC. —. That Amos L. Wilson be allowed the sum of eleven dollars and forty cents, as witness in the case of Cline vs. Burson.

SEC. —. That John K. Irvin be allowed the sum of eight dollars and forty cents, as witness in the case of Cline vs. Burson.

SEC. —. That John Abrams be allowed the sum of five dollars for raising coal from the cellar of the State House for the use of the Senate.

SEC. —. That Joseph Hinton be allowed the sum of nine dollars and fifty cents, as witness in the case of Cline vs. Burson.

SEC. —. That Murphy, Johnson & Co. be allowed the sum of forty-one dollars and seventy cents, for delaines and prints furnished the Senate at the special session of 1872.

SEC. —. That Austin Reed be allowed the sum of eight dollars as witness in the case of Cline vs. Burson.

SEC. —. That George W. Spitler be allowed the sum of twelve dollars and eighty cents, as witness in the case of Cline vs. Burson.

SEC. —. That A. D. Williams be allowed the sum of eleven dollars and ten cents, as witness in the case of Cline vs. Burson.

SEC. —. That the Indianapolis Sentinel Company be allowed the sum of five hundred and thirty dollars and forty cents for Sentinels furnished the Senate at the present session.

SEC. —. That Liberty Ginn be allowed the sum of twenty-three dollars as witness in the case of Cline vs. Burson.

SEC. —. That William Cox be allowed the sum of nineteen dollars and twenty cents, as witness in the case of Cline vs. Burson.

SEC. — That John McKinney be allowed the sum of fourteen dollars, as witness in the case of Cline vs. Burson.

SEC. —. That O. H. Swain, sheriff of Delaware county, be allowed the sum of twenty dollars, for services rendered in the case of Cline vs. Burson.

SEC. —. That John F. Wildman be allowed the sum of six dollars and sixty cents, as witness in the case of Cline vs. Burson.

SEC. —. That Edward R. Charman be allowed the sum of eleven dollars and ten cents, as witness in the case of Cline vs. Burson.

SEC. —. That Joseph Fulton be allowed the sum of five dollars and ten cents, as witness in the case of Cline vs. Burson.

SEC. —. That J. P. Williams be allowed the sum of ten dollars and eighty cents, as witness in the case of Cline vs. Burson.

SEC. —. That Mitchell & Rammelsburg be allowed the sum of thirty-four dollars for furniture and bedding, as per bill rendered.

SEC. —. That Henry Coleman be allowed the sum of twenty dollars for washing twenty dozen towels.

SEC. —. That Wm. H. English be allowed the sum of four hundred dollars for rent for Committee Rooms.

SEC. —. That there be allowed and paid to William P. & Edward P. Gallup the sum of nineteen thousand and five hundred dollars, in consideration of the real estate sold by them to the State of Indiana, as is authorized and directed by Joint Resolution No. 12 of the Senate, confirming the purchase of additional grounds whereon to erect a new State House, approved March 5, 1873.

SEC. —. That Benjnmin F. Beeson be allowed the sum of nine dollars and ten cents as witness in the case of Cline vs. Burson.

Sec. —. That Henry Crawford be allowed the sum of five hundred dollars in full for professional services in State ex rel. vs. L. N. & C. Railroad in the Floyd Common Pleas Court, and in the Supreme Court.

Sec —. That there be allowed and paid Patrick Shannon the sum of five thousand dollars for incidental expenses of the office of Agent of State for the years of 1871 and 1872.

Also, amend by striking out sections 5, 13, 14, 15, 22, 25, 26, 31 and 33.

Also, amend section 9 so as to insert description of lands.

Mr. Cauthorn offered the following amendment:

Amend section 3, Nos. ——, of the Senate amendments by consolidating them all in one section, giving the names of the parties and amount allowed.

Which amendment was adopted.

The claim of Spiegel, Thoms & Co., was concurred in.

The claim of W. H. H. Terrell was concurred in.

The claim of Julius Bœtticher was concurred in.

The claim of Osborn & Hawkins was concurred in.

The claim of Adams & Mansur was concurred in.

The claim of Owen M. Eddy was concurred in.

The claim of the Indianapolis Journal Company was not concurred in.

The claim of A. E. & W. H. Drapier was concurred in.

The claim of John Jones was concurred in.

The claim of John F. Pierce was concurred in.

The claim of R. S. Sproule was concurred in.

The claim of Henry Crawford was concurred in.

The claim of John Abrams was concurred in.

The claim of Murphy, Johnson & Co. was concurred in.

The claim of the Indianapolis Sentinel Company was not concurred in.

The claim of Mitchell & Rammelsburg was concurred in.

The claim of Henry Coleman was concurred in.

The claim of Wm. H. English was concurred in.

The claim of W. P. & E. P. Gallup was concurred in.

The claim of Patrick Shannon was taken up.

The question being, will the House concur in the amendment of the Senate allowing the claim of Patrick Shannon, late Agent of State, the sum of five thousand dollars?

Messrs. Gregory and Smith demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Baxter, Blocher, Bowser, Branham, Cauthorn, Claypool, Cline, Coffman, Cole, Cowgill, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glazebrook, Gregory, Gronendyke, Heller, Henderson, Isenhauer, Kimball, McKinney, Mellett, Offutt, Richardson, Riggs, Rudder, Shirley, Stanley, Teeter, Thayer, Thompson (of Elkhart), Whitworth, Willard and Woodard—40.

Those who voted in the negative were, Messrs, Billingsley, Broaddus, Butterworth, Clark, Cobb, Crumpacker, Ewaıd, Furnas, Glasgow, Goudie, Hardesty, Hatch, Hedrick, Johnson, Jones, King, Kirkpatrick, McConnell, North, Miller, Odle, Peed, Pfrimmer, Reeves, Reno, Satterwhite, Scott, Shutt, Tingley, Thompson (of Spencer), Troutman, Tulley, Walker, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—37.

So the claim was not concurred in.

The amendments of the Senate by striking out sections 5, 13, 14, 15, 22, 25, 26, 31 and 33 were not concurred in.

The amendment of the Senate to section 9, by inserting description of land was concurred in.

Mr. Kimball offered the following amendment as an additional section to said bill.

SEC. —. That the sum of two hundred and twenty dollars be allowed to pay the funeral expenses of William T. Lockhart, late Doorkeeper of the House of Representatives.

Which amendment was adopted.

Mr. Hardesty offered the following amendment as an additional section to said bill.

Amend by adding the following:

SEC. —. That five thousand dollars be appropriated for repairs of Southern Prison.

That three thousand dollars be appropriated for the purchase of additional clothing for the convicts of the Northern Prison.

That two thousand dollars be appropriated for the erection of such improvements as are necessary to supply with water the Northern Prison.

That two hundred dollars be appropriated for the building of flues in the cooper shops of the Northern Prison.

That five hundred dollars be appropriated for the purchase of books for the Library of the Northern Prison.

That two hundred dollars be appropriated for the year 1873, and two hundred dollars for the year 1874, additional compensation for the Warden of the Southern Prison.

That two hundred dollars be appropriated for the year 1873, and two hundred dollars for the year 1874, additional compensation for the Deputy Warden of the Northern Prison.

Which amendment was adopted.

Thr Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have examined Enrolled House bill No. 377, and Senate Enrolled bills Nos. 73 and 345, and find that the same are correctly enrolled.

The following Engrossed Senate amendments to House bill No. 531, were taken up:

Engrossed Senate amendments to House bill No. 531.

Amend section 2, line 21, by striking out "one thousand dollars," and insert in lieu thereof "twenty-two hundred dollars," for Governor's Private Secretary.

Also, strike out all of section 11, as relates to public printing, and insert in lieu thereof the following: "For public printing, paper and binding, the sum of thirty thousand dollars is hereby appropriated for the year of 1873, out of this appropriation shall be printed under the direction of the State Board of Agriculture the reports of the board for the aforesaid year; also the reports of the State Horticultural Society for the year aforesaid, and Geological reports for the same year."

Also, amend section 19, so as to read "three thousand" instead of "five thousand."

Also, amend section 22, 2d clause, by striking out all as relates to public printing, and insert in lieu thereof the following: "For public printing, paper and binding, the sum of twenty thousand dollars is hereby appropriated for the year of 1874, out of this appropriation shall be printed under the direction of the State Board of Agriculture the reports of the board for the aforesaid year; also the reports for the State Horticultural Society for the year aforesaid, and Geological reports for the same year."

Also, amend section 24, by striking out the words "sixty-five thousand," and insert in lieu thereof the words "forty thousand."

Also, amend section 26, so as to read as follows: "Indiana soldiers, seamen and orphan's home."

Also, amend section 27, by striking out the words "twenty-five thousand," and insert in lieu thereof the words "twenty thousand."

Also, amend section 29, by striking out the words "sixty-seven thousand five hundred," and insert in lieu thereof the words "forty-five thousand."

Also, amend section 30, by striking out all after the word "dollars," in line nine.

Also, amend section 31, so as to read: "Indiana soldiers, seamen and orphans home."

Also, amend section 32, by striking out the words "thirty-seven thousand five hundred," and insert in lieu thereof the words "twenty thousand."

Also, amend by striking out sections 10, 21, 30, 39, 43, 44 and 45.

Also, amend by striking out all after the word "officers," in section 47, in the 11th line.

Also, amend by adding the following sections:.

SEC. 41. For the incidental expenses of the State Horticultural Society for the years 1873 and 1874, the sum of five hundred dollars is hereby appropriated to be drawn on the order of the president of such society each year.

SEC. 42. The Treasurer of State shall be allowed an additional clerk at a salary not exceeding one thousand dollars per annum.

SEC. 43. To John C. Shoemaker for incidental expenses of Auditor of State's office for the years 1871 and 1872, the sum of three thousand dollars.

SEC. —. To James B. Ryan for incidental expenses of the Treasurer of State's office, to include the cost of exchange on the transmission of funds to New York for the years 1871 and 1872, two thousand dollars.

Also, amend section 2, line 34, by striking out the words "three thousand dollars," and insert in lieu thereof the words "four thousand dollars."

And amend further said section 2, line 35, by striking out the words "fifteen thousand dollars," and insert in lieu thereof the words "twenty thousand dollars."

Also, amend section 46, (original number) line 4, by striking out the words "seventy-six thousand dollars," and insert in lieu thereof the words "ninety-five thousand dollars," for judges of circuit courts.

The Senate amendment to section 27 was not concurred in.

The Senate amendment to section 29 was not concurred in.

The Senate amendment to section 30 was not concurred in.

The Senate amendment to section 32 was not concurred in.

The amendment of the Senate striking out sections 43, 44 and 45 was not concurred in.

The Senate amendment to section 47 was taken up.

The question being, shall the amendment be concurred in?

Messrs. Brett and Willard demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baker, Billingsley, Bowser, Cobb, Gifford, Glazebrook, Gregory, Hatch, Jones, Kirkpatrick, Mellett, Offutt, Scott, Thompson (of Elkhart), Troutman, Walker, Whitworth, Wilson (of Blackford) and Woodard—20.

Those who voted in the negative were, Messrs. Anderson, Barker, Baxter, Blocher, Branham, Brett, Broaddus, Butterworth, Butts, Cauthorn, Clark, Cline, Coffman, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Givan, Glasgow, Goble, Goudie, Hedrick, Heller, Hollingsworth, Isenhauer, Kimball, King, McConnell, McKinney, Miller, Odle, Ogden, Reno, Richardson, Riggs, Rudder, Satterwhite, Shirley, Shutt, Smith, Teeter, Tingley, Thompson (of Spencer), Willard, Wood, Woollen, Wynn and Mr. Speaker—53.

So the amendment was not concurred in.

The amendment of the Senate by adding section 42, was not concurred in.

The remaining amendments of the Senate were concurred in.

Mr. Woollen offered the following resolution:

Resolved, That the Senate be requested to return House bill No. 503 to the House, for the further action of this body.

Which resolution was adopted.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring therein, that the Auditor of State be instructed to audit the account of Braden & Burford, for $2,979.20, for stationery purchased by the State Librarian prior to the special session, and for the use of said special session.

In which the concurrence of the House is respectfully requested.

I am also directed by the Senate to inform the House of Representatives that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 354, entitled "A bill to consolidate certain mortgage loans, forfeitures, bills receivable, and other debts and accounts due the school fund, into one non-negotiable bond, and making other provisions in relation thereto."

I am also directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts, to-wit: Senate enrolled acts Nos. 222, 117, 176, 300, 346, 204, 292 and 293, and House enrolled acts Nos. 377 and 530; and the same have been placed in the hands of the Joint Committee on Enrolled Bills.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have presented to the Governor the following enrolled Senate bills Nos. 233, 222, 117, 176, 300, 346, 204, 377 and 292, and House bill No. 530, for his approval and signature this 8th day of March, 1873.

Senate Joint Resolution No. 11, having failed to pass for want of a constitutional majority, was taken up, read and put upon its passage.

The question being, shall the joint resolution pass?

Those who voted in the affirmative were, Messrs. Baker, Baxter, Billingsley, Blocher, Bowser, Brett, Butterworth, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Cowgill, Crumpacker, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Glasgow, Glazebrook, Goble, Gregory, Gronendyke, Hardesty, Hatch, Heller, Hollingsworth, Isenhauer, Johnson, Kirkpatrick, McConnell, McKinney, North, Offutt, Ogden, Pfrimmer, Reeves, Richardson, Rudder, Satterwhite, Scott, Shirley, Shutt, Stanley, Teeter, Thayer, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Walker, Whitworth, Willard, Wilson (of Blackford), Wood, Woodard, Woollen and Wynn—61.

Those who voted in the negative were, Messrs. Anderson, Branham, Broaddus, Durham, Givan, Goudie, Hedrick, King, Miller and Troutman—10.

So the joint resolution passed.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Walker offered the following resolution:

Resolved by this House, the Senate concurring, that the Secretary of State is hereby authorized to have printed one thousand copies of the law abolishing the Common Pleas Court and re-districting the State for judicial purposes, and five hundred copies of the law regulating the fees and salaries of county officers, in pamphlet form, and have them distributed equally among the counties of the State to the various clerks of the counties.

Which resolution was adopted.

Mr. Woodard offered the following resolution:

Whereas, By an act of this General Assembly passed at the Special Session of 1872, the Principal and Assistant Clerks, and their appointees, were required to perform double the amount of labor heretofore required at the hands of any of the former Clerks of this House; and

WHEREAS, By the sickness of the Principal Doorkeeper and removal of one other, extra duties have devolved upon the Doorkeepers of this House: Therefore,

Be it resolved, That the Principal Clerk and Assistant Clerk of this House, and their appointees, and the Doorkeeper and his three principal appointees, be allowed the sum of one hundred dollars each for such extra labor, and the Speaker be authorized to draw his warrants on the treasury for the several amounts.

Mr. Furnas moved to lay the resolution on the table.

The question being, shall the resolution be laid on the table?

Messrs. Furnas and Thayer demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Branham, Brett, Butterworth, Cauthorn, Claypool, Cline, Cobb, Crumpacker, Durham, Ellsworth, Furnas, Givan, Goble, Gronendyke, Isenhauer, McConnell, McKinney, Rudder, Schmuck, Scott, Smith, Stanley, Teeter, Thompson (of Elkhart) and Tulley—27.

Those who voted in the negative were, Messrs. Anderson, Billingsley, Blocher, Bowser, Coffman, Cole, Cowgill, Eaton, Eward, Gifford, Glazebrook, Hardesty, Heller, Henderson, Johnson, Jones, Kimball, King, Kirkpatrick, Mellett, Miller, North, Pfrimmer, Reeves, Riggs, Satterwhite, Thayer, Tingley, Thompson (of Spencer), Troutman, Whitworth, Willard, Wood, Woodard and Woollen—36.

So the resolution was not laid on the table.

The question being, shall the resolution be adopted?

Messrs. Furnas and Thayer demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Anderson, Baker, Barker, Billingsley, Bowser, Cole, Cowgill, Edwards (of Lawrence), Eward, Gifford, Givan, Glazebrook, Gronendyke, Hardesty, Heller, Henderson, Jones, Kimball, King, Kirkpatrick, Lent, McKinney, Mellett, North, Odle, Pfrimmer, Reeves, Riggs, Satterwhite, Thayer, Tingley, Troutman, Whitworth, Willard, Wilson (of Blackford), Wood and Woodard—38.

Those who voted in the negative were, Messrs. Baxter, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cline, Cobb, Coffman, Crumpacker, Durham, Eaton, Ellsworth, Furnas, Glasgow, Goble, Goudie, Hatch, Hollingsworth, Isenhauer, McConnell, Offutt, Peed, Schmuck, Scott, Shutt, Smith, Stanley, Thompson (of Elkhart), Tulley, Walker and Willson (of Ripley)—33.

So the resolution was adopted.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to transmit to the House of Representaves, in compliance with a resolution of the House, the following bill, to-wit:

Engrossed House bill No. 503, entitled—a bill regulating the convening and adjourning of grand juries.

Also, that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 59, entitled—a bill to amend section 6 of an act entitled "An act to amend an act entitled 'An act providing for the election or appointment of supervisors of highways and prescribing certain of their duties and those of county and township officers in relation thereto,'" approved Dec. 20, 1865.

Also, Senate Joint Resolution No. 22, entitled—a joint resolution authorizing the letting of paper and printing to the lowest responsible bidder.

Mr. Branham moved to reconsider the vote by which the claim of Patrick Shannon was allowed.

Mr. Willard moved to lay the motion on the table.

The question being, shall the motion to reconsider be laid on the table?

Messrs. Willard and Offutt demanded the ayes and noes.

Those who voted in the affirmative, were Messrs. Anderson, Baker, Blocher, Cauthorn, Claypool, Cline, Coffman, Cole, Dial,

Eaton, Ellsworth, Gifford, Glazebrook, Goble, Gregory, Heller, Kimball, McKinney, Mellett, Offutt, Reeves, Richardson, Riggs, Schmuck, Thayer, Tulley, Whitworth and Willard—28.

Those who voted in the negative were Messrs. Baxter, Billingsley, Branham, Brett, Broaddus, Butterworth, Butts, Clark, Cobb, Crumpacker, Durham, Edwards (of Lawrence), Eward, Furnas, Glasgow, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Hollingsworth, Isenhauer, Johnson, Jones, King, Kirkpatrick, Lent, McConnell, Miller, North, Odle, Ogden, Peed, Pfrimmer, Satterwhite, Scott, Shirley, Shutt, Smith, Tingley, Thompson (of Elkhart), Troutman, Walker, Wilson (of Blackford), Wood, Wynn and Mr. Speaker—47.

So the motion to reconsider was not laid on the table.

The vote was then reconsidered.

Whereupon Mr. Branham offered the following amendment:

Amend by inserting "two thousand dollars."

Which amendment was adopted.

The concurrent resolution of the Senate in relation to the claim of Braden & Burford for stationery purchased by the State Librarian was taken up.

Mr. Butterworth moved to lay the concurrent resolution on the table.

The question being, shall the concurrent resolution be laid on the table?

Which motion did not prevail

The question being, shall the concurrent resolution be concurred in?

Whereupon Mr. North, chairman of the Committee on Public Library, to which committee had been referred a concurrent resolution directing said committee to investigate the claim of said Braden & Burford and report thereon, submitted the following report of the committee with the facts ascertained by their investi-

gation, showing that the purchase had been made without authority of law, without any recommendations to the House.

Which report was received.

The Joint Committee on Enrolled Bills submitted the following report:

Mr. Speaker:

Your Joint Committee on Enrolled Bills report that they have this 8th day of March, 1873, presented to the Governor for his approval and signature, Senate bill No. 325.

Also, your Joint Committee on Enrolled Bills report that they have presented to the Governor House bills Nos. 354 and 59 for his approval, March 8, 1873.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 208, entitled—a bill to legalize the official acts of the several Boards of Trustees of the town of Mooresville.

Engrossed House bill No. 213, entitled—a bill defining cruelty to animals, etc.

And the same are herewith returned to the House.

Also, that the Senate has passed House Joint Resolution No. 19 entitled—a joint resolution instructing our Senators, etc.

Also, I am directed by the Senate to herewith transmit to the House for the signature of the Speaker thereof, the following enrolled acts, to-wit:

Enrolled act of the Senate No. 287, entitled—an act to fix the salaries of the Judges of the Supreme Court, etc.

Enrolled act of the Senate No. 239, entitled--an act authorizing incorporated cities containing a population of fifteen thousand to make loans, etc.

And Enrolled act of the Senate No. 293, entitled--an act supplemental to an act entitled "An act to provide for the election, fixing the compensation, and prescribing the duties of the Attorney General," etc.

The vote by which the House refused to concur in the amendments of the Senate to House bill No. 503, was reconsidered and the amendments concurred in.

Engrossed Senate bill No. 318, was taken up—a bill to make further provision for the care and treatment of the insane.

Which bill was read a first time.

Mr. Branham moved that the bill be indefinitely postponed.

Which motion was passed over informally.

Mr. Baker offered the following resolution:

WHEREAS, During the Special Session of this House the members drew for their individual use Vols. 1, 2 and 3 Indiana Statutes; and

WHEREAS, Members were authorized to retain the same for use during the regular session; and

WHEREAS, Said books have by use become damaged, and some of said books have been stolen from the members without their fault: Therefore,

Be it resolved, That members of this House be allowed to retain for the use of themselves and their constituents the three volumes of Indiana Statutes drawn from the State Librarian by resolution of this House.

Which resolution was adopted.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives that the Senate has, with the accompanying engrossed amendments, passed the following bills, to-wit:

Engrossed House bill No. 380, entitled—a bill legalizing summonses, executions and other processes of law issued by justices of the peace in incorporated cities to the Marshals of said cities, as, also, all acts done or performed under and by color of such writs, and protecting such Marshals from prosecutions for acts done under and by color thereof.

Engrossed House bill No. 225, entitled—a bill to amend section 2 of an act entitled "An act to provide for the protection of wild game, and defining the time in which the same may be taken or killed, and providing the penalty for violating the same," approved March 11, 1867; and also providing for the protection of certain birds therein named and their eggs, and fixing a penalty.

Enrolled act of the Senate No. 333, entitled—an act for the relief of the indigent cripples of the State of Indiana.

Engrossed House bill No. 114, entitled—a bill to amend the first section of an act entitled "An act to authorize any person desiring to erect a flouring mill, or other machinery to be propelled by water on his own land, to make a race-way below such mill or machinery through land belonging to other persons, and to regulate the assessment and payment of damage therefor," approved March 1, 1858.

Also, that the Senate has passed the following bills, to-wit:

Engrossed House bill No. 139, entitled "A bill relating to expenses incurred by one county by change of venue from another county.

Engrossed House bill No. 430, entitled "A bill to amend sections 5 and 6 of an act entitled 'An act to authorize boards of county commissioners to declare water courses navigable,'" approved May 31, 1852.

Engrossed House bill No. 316, entitled "A bill to authorize township trustees to levy an additional tax, etc."

Engrossed House bill No. 541, entitled "A bill fixing the time of holding circuit courts in the fifteenth judicial circuit of this State;" and the same are herewith returned to the House.

MR. SPEAKER:

I am directed by the Senate to herewith transmit to the House of Representatives for the signature thereof the following enrolled acts, to-wit:

Enrolled act of the Senate No. 345, entitled "An act to amend section 40 of an act entitled 'An act to divide the State into circuits for judicial purposes; fixing the time of holding courts therein; abolishing the courts of common pleas, and transferring the business thereof to the circuit courts; and providing for the election of judges and prosecuting attorneys in certain cases,'" approved March 6, 1873.

Enrolled act of the Senate No. 73, entitled "An act to amend sections 15 and 16 of an act entitled 'An act for the incorporation of towns; defining their powers; providing for the election of the officers thereof and declaring their duties,'" approved June 11, 1852, and providing for the election of the town marshal by the town trustees, and declaring an emergency.

Enrolled act of the Senate No. 34, entitled "An act to amend section 90 of an act entitled 'An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State,'" approved June 17, 1852, and declaring an emergency.

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives, that the Senate has passed the following bill, to-wit:

Engrossed House bill No. 114, entitled "A bill to amend the 1st section of an act to authorize any person desiring to erect a flouring mill and other machinery, etc."

The Speaker announced that he had signed enrolled Senate acts Nos. 34, 345, 73, 293, 239 and 289; also, enrolled House acts Nos. 532, 241 and 495.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House, that the Senate has concurred in all the amendments of the House to the amendments of the Senate to House bill No. 531, and that the eighth amendment receded from, the ninth and thirteenth not receded from, and the amendments striking out sections 43, 44 and 45 not receded from, and that the Senate has appointed a Free Conference Committee, consisting of the Finance Committee.

Which message was taken up, and the Speaker appointed as such committee on the part of the House the Committee on Ways and Means, and Mr. Woollen.

Mr. Kimball, chairman of the Committe on Ways and Means, appointed by the Speaker as a Committee of Conference to confer with a like committee on the part of the Senate, in relation to Senate amendments to House bill No. 531, submitted the following report:

MR. SPEAKER:

House recedes from its non-concurrence in the Senate amendments to section 30. In section 43, appropriating $15,000 yearly to the State University, the House recedes so far as to leave the amount $10,000 yearly. House recedes from its entire appropriation in section 45, for the purpose of defraying the expenses incurred in erecting the State Normal school. The House recedes from its amendment of the Senate to section 44. House recedes from its amendments requiring the State officers to give an itemized account of their contingent expenses in section —.

Which report was concurred in.

Mr. Branham moved that when this House adjourn, it adjourn until Monday next, at 9 o'clock a. m.

Which motion prevailed.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate

has concurred in the report of the Free Conference Committee on House bill No. 531.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has receded from its amendments to House bill No. 535; also, that the Senate has concurred in the amendments of the House to same amendment.

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled acts to-wit:

Enrolled acts of the Senate Nos. 289, 239, 293, 73 and 34, and House enrolled acts Nos. 532, 241 and 495; and the same have been placed in the hands of the Joint Committee on Enrolled Bills, in compliance with Joint Rule No. 4.

The following engrossed Senate amendment to House bill No. 380 was taken up:

The following engrossed Senate amendment to House bill No. 380:

Amend section 2, by adding the following provision: *Provided*, This act shall not operate in actions now pending, where in the validity of such acts or services involved, but such acts shall proceed, and the questions involved be decided the same as if this act had not been passed.

Which amendment was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have presented House bills Nos. 430, 139, 541, 503, 316, 225 and 535, joint resolution No. 19, bills Nos. 215, 208 and 524, and joint resolution No. 19; also, Senate bills Nos. 293, 88, 278 and 114; also, Senate bills Nos. 289, 239, 293, 34, 345 and 73, House bills Nos. 495, 241, 582 and 531, to the Governor for his approval and signature.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has passed the following resolution to-wit:

A joint resolution in relation to instructing the Treasurer of State to procure a policy of insurance on the law library of the supreme court.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

Your Joint Committee on Enrolled Bills report that they have carefully compared Enrolled House bills Nos. 531, 536, 436, 524, 430, 139, 213, 114, 354, 316, 541, 453, 503, 380, 208, 225 and 59, and joint resolution No. 19, and Senate enrolled bills Nos. 271, 88 and 287, with engrossed copies and find the same correctly enrolled.

The Speaker announced that he had signed enrolled Senate acts Nos. 278, 88 and 325, and engrossed Senate Joint Resolution No. 11; also enrolled House acts Nos. 208, 225, 59, 531, 535, 436. 524, 430, 139, 213, 114, 354, 316, 541, 453, 503, 453 and 380, and enrolled Senate Joint Resolution No. 16.

Mr Mellett, Chairman of the Committee on Free Conference on House bill No. 526, submitted the following report:

MR. SPEAKER:

The committee appointed by the House to confer with a like committee on the part of the Senate, in relation to the disagreement of the Senate and House on Senate amendments to House bill No. 526, beg leave to report that after a conference it is found impossible for the committee to agree.

A. C. MELLETT,
JOS. BAKER,
JOHN O. HARDESTY.

Which report was concurred in.

The Joint Committee on Enrolled Bills submitted the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills have examined, compared and find correctly enrolled the following bills, to-wit: Senate Acts Nos. 88, 278 and 325; also Senate Joint Resolution No. 11.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House that he has signed the following enrolled act, to-wit:

Enrolled act No. 380, H. R.—an act legalizing summonses, executions and other processes of law, issued by justices of the peace in incorporated cities, to the marshal of said cities, as also all acts done or performed under and by color of such writs, and protecting such marshal, etc.

Enrolled act No. 59, H. R.—an act to amend section 6 of an act entitled "An act providing for the election or appointment of supervisors of highways, and prescribing certain of their duties."

Enrolled act No. 453, H. R.—an act to legalize the incorporation of the town of Kentland, Newton county, Indiana.

Enrolled act No. 541, H. R.—an act fixing the time of holding circuit courts in the thirteenth judicial circuit of this State.

Enrolled act No. 436, H. R.—an act to amend sections 109, 110, 111 and 118 of "An act to provide for a general system of common schools, the officers thereof, and their respective powers and duties," etc.

Enrolled act No. 316, H. R.—an act authorizing township trustees to levy an additional tax to the amount now authorized by law not exceeding twenty-five cents on each one hundred dollars worth of taxable property in one year, etc.

Enrolled act No. 513, H. R.—an act regulating the convening and adjournment of grand juries.

Enrolled act No. 521, H. R.—an act to authorize railroad companies organized under the laws of the State of Indiana, to make contracts for the use of their tracks by the trains of each other, and to ratify bona fide contracts for such purposes heretofore made.

Enrolled act No. 139, H. R.—an act relating to expense incurred by one county by changes of venue from another county.

Enrolled act No. 430, H. R.—an act to amend sections 5 and 6 of "An act to authorize the board doing county business to declare water courses navigable," approved May 31, 1852.

Enrolled act No. 114, H. R.—an act to amend the first section of an act to authorize any person desiring to erect a flouring mill or machinery, to be propelled by water, on his own land.

Enrolled act No. 213, H. R.—an act defining cruelty to animals, declaring it a misdemeanor, and providing a penalty therefor.

Enrolled act No. 208, H. R.—an act to legalize the official acts of the several boards of trustees of the town of Mooresville, Morgan county, Indiana, etc.

Enrolled act No. 225, H. R.—an act to amend section 2 of an act to provide for the protection of wild game, etc.

I am directed by the President of the Senate to inform the House that he has signed the following joint resolution, to-wit:

House Joint Resolution No. 19—a joint resolution instructing our Senators and requesting our Representatives in Congress to restore certain soldiers therein mentioned to their original position on the rolls of the army; and the same has been placed in the hands of the Joint Committee on Enrolled Bills in compliance with Joint Rule No. 4.

Mr. Speaker:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled act of the Senate, to-wit:

Enrolled act of the Senate No. 325—an act to authorize the Governor of the State of Indiana to exchange with Peter Donnelly certain lands therein described.

Enrolled Joint Resolution of the Senate No. 11—a joint resolution instructing our Senators and requesting our Representatives in Congress to use all proper means to secure the establishment of a District Court for Northern Indiana, at the city of Fort Wayne; also a distributing post-office at said city, and obtain an appropriation for the erection of a suitable building for the purpose contemplated by said resolution.

Enrolled act of the Senate No. 278—an act to amend section 53 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and prescribing the powers and rights, and the manner in which they shall exercise the same, and regulating such other matters as properly pertain thereto," approved March 14, 1867, and declaring an emergency.

Enrolled act of the Senate No. 88—an act to authorize and encourage the construction of levees, dykes, drains and ditches, and the reclamation of wet and overflowed lands by incorporated associations, and providing for the organization of such associations, and prescribing their powers, and providing for the assessment of the cost of such improvements, and the expense attending the same, upon lands benefitted thereby, and for the collection of such assessments, and repealing certain acts therein specified, and declaring an emergency; and the same has been placed in the hands of the Joint Committee on Enrolled Bills.

On motion of Mr. Blocher, the House adjourned until Monday next at 9 o'clock a. m.

MONDAY MORNING.

March 10, 1873, 9:30 o'clock.

The House met pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by Hon. James Rudder, Representative from the county of Washington.

On motion of Mr. Wood the reading of the Journal was dispensed with.

Mr. Cauthorn offered the following joint resolution:

A joint resolution to amend article 2, section 14 of the Constitution.

Amend section 14, of article 2, of the Constitution of the State, so as to read as follows, to-wit:

SEC. 14. All general elections shall be held on such day as shall be provided by law.

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amend section 14, of article 2, of the Constitution of the State so as to read as follows, to-wit:

SEC. 14. All general elections shall be held on such day as shall be provided by law.

Which was ordered to be spread upon the journal, and which was adopted by the following vote:

Those who voted in the affirmative were, Messrs. Anderson, Baxter, Billingsley, Blocher, Bowser, Branham, Brett, Cauthorn, Clark, Claypool, Cline, Cobb, Coffman, Cole, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Eward, Furna Gifford, Givan, Glazebrook, Goble, Goudie, Gronendyke, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Isenhauer, Johnson, Kimball, King, Kirkpatrick, McKinney, Mellett, Miller, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Riggs, Rudder, Satterwhite, Scott, Shirley, Smith, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Willard, Wilson (of Blackford), Wood and Mr. Speaker—66.

Mr. Butterworth voting in the negative.

Mr. Gregory was granted leave to withdraw the claim of Edwin May.

Mr. Richardson was granted leave to withdraw Senate bill No. 6 from the files.

The Speaker laid before the House the following report of the Attorney General:

OFFICE OF ATTORNEY GENERAL,
INDIANAPOLIS, MARCH 1873.

HON. W. K. EDWARDS,
Speaker of House of Representatives:

SIR:—I have the honor to transmit through you to the House of Representatives the following report, as to acts done by me in obedience to the several joint and concurrent resolutions adopted by the General Assembly of the State of Indiana, copies of which are hereto attached:

Immediately after the adoption of the resolution of the —— day of ——— 187--, I telegraphed the attorneys, representing the Illinois and Michigan Canal Commissioners, and at my request a day was fixed for the argument of the questions presented by the demurrer to the bill filed by Pleiffer and Roll against the canal commissioners and Smith; on the day fixed, I went to Chicago, and on my arrival there found that the cause had been postponed one week, I then in company with Senator Wadge who was fully conversant with all the facts, and who had been very active and energetic in looking after and seeking by all reasonable diligence to promote the interests of the citizens of his district, who had been for years suffering from the overflow of their lands, by reason of the construction and continuance of the dam across the Calumet river, at Blue Island, went a third time to Chicago. At this time the demurrer was argued, the court intimated an opinion in the cause, but gave the complainants until the following Monday to amend their bill. On the day fixed, we met, the court sustained the demurrer and allowed complainants to amend their bill. On the amended bill being filed, a rule was entered requiring Smith to answer within ten days—the effect of the ruling of the court was to release or dismiss the suit as to the canal commissioners. At this time the canal commissioners were at the city of Springfield, Illinois. Senator Wadge and I went to said city, saw the canal commissioners, they at once ordered the superintendent of the canal to remove the dam, in question and in pursuance of this

order he at once with thirteen men began the work of destruction and succeeded in removing seventy feet of the dam in the center of the river, when he was again enjoined by Pleiffer and Roll from proceeding further.

On the fourth day of February, 1873, I was informed by telegraph that Pleiffer and Roll were preparing to rebuild the said dam. This fact I communicated to Senator Wadge and Representative Wood, and thereupon the following resolution was adopted by the General Assembly:

A joint resolution authorizing legal proceedings in regard to the Calumet dam.

WHEREAS, The authorities of the State of Illinois have at the earnest request of the authorities of this State removed the dam at Blue Island, Ills., known as the Calumet dam; and

WHEREAS, An attempt is being made by certain parties to rebuild said dam; therefore, be it

Resolved, That the Attorney General of this State be hereby directed to repair at once to Chicago or any other suitable place, and take such steps as he may deem necessary in the premises to successfully enjoin such or any parties from rebuilding or repairing said dam, and in the event of the Attorney General being unable to attend immediately to the matter, that he be hereby directed and authorized to employ Hon. Conrad Baker or some suitable person for the purpose contemplated by this resolution.

On the adoption of this resolution I went to the city of Chicago, and with the assistance of Messrs. Winston, Campbell and Lawrence who I employed to assist me in the matter, and to look after the cause in my absence, a bill was filed in the name of Mrs. Fairchild against Pleiffer and Roll, to enjoin them from rebuilding said dam, and an injunction was granted, restraining them from rebuilding the same. This injunction will operate as a temporary restraint only.

While in Chicago, Senator Wadge and I called on Mr. Pleiffer and his attorney, Mr. Bailey, from whom we learned that if the State of Illinois would pay them what it would cost them to purchase an engine, boiler and fixtures, necessary to run their mill by steam, instead of water, and the necessary expense incident to such

change, that they would allow the dam to be removed and continue so without further litigation.

On my returning home, after obtaining said injunction, I wrote to the Attorney General of Illinois requesting him to call the attention of the Governor of that State to the matter, in order to procure the necessary legislation in that State in order to provide for the payment to said Pfeiffer & Roll for their loss, and I now transmit herewith a copy of the bill pending before the General Assembly of Illinois, together with a letter from the Attorney General and the chairman of the Senate committee on appropriations; also a copy of a telegraphic dispatch from the Governor of Illinois to the Governor of this State as to the present condition of the Legislature in that State to the subject matter of this report.

I am satisfied that by proper attention the Legislature of Illinois can be induced to pay to Messrs. Pfeiffer & Roll the loss they will sustain by reason of the removal of this dam. It seems to me that their claim against the State is eminently just and should be recognized and paid. I am satisfied that if the bill now pending before the Illinois Legislature shall become law that it will finally settle the troublesome question that has so long been pending in different forms before the General Assembly of this State.

If this act be not passed, that is now pending before the Legislature of Illinois, it may become necessary to institute the proceeding recommended in my former communication to this body on this subject, viz., to file a bill in the Supreme Court of the United States to abate said dam as a nuisance.

The dam in question was constructed of wooden cribbs filled with stone; seventy feet of this crib work was removed by the Superintendent of the Canal under the order of the Canal Commissioners before referred to. Against this crib work, on the upper side, clay was placed, and at the time the cribs were destroyed, and up to this time, the water in the river was very low and was frozen, the ice being from 18 inches to 2 feet thick, and for this reason the clay referred to has not washed out. It is the opinion, however, of those familiar with the river that the spring freshet will remove it entirely. The dam in question backed the water of the river up through Lake and Porter counties about fifty miles, covering about 76,000 acres of land with stagnant water; about 1,000 acres of this land belongs to the State, and when the water is removed it will be worth near, if not quite, thirty dollars per acre, because of its

close proximity to Chicago. The country near to this stagnant water, on either side, has been rendered extremely unhealthy; the citizens have suffered greatly by reason of the stagnant water remaining on said land during the hot weather; they have borne this long and patiently, though they have from time to time appealed to the Legislature for relief nothing has been done which relieved them until the present session, and they are indebted to the earnest, persistent and energetic efforts of the Hon. R. C. Wadge, Senator from Lake and Porter counties, for pressing their claims and presenting their sufferings to this General Assembly, which has resulted in the favorable action that has been had in their behalf.

And I am satisfied that if the bill now pending before the General Assembly of Illinois be properly pressed that favorable action can and will be had thereon, and that thereby long, expensive and tedious litigation in the Supreme Court of the United States will be avoided.

And I therefore respectfully request this General Assembly to appoint Hon. R. C. Wadge to go with me to Springfield, Illinois, to aid in securing the legislation hereinbefore referred to.

Respectfully submitted,

J. C. DENNY,

Attorney General.

Which report was received.

Mr. Kimball was granted leave to withdraw the claim of the Sunday Post.

Mr. Cauthorn, from the Committee on Temperance, submitted the following report:

MR. SPEAKER:

The Committee on Temperance, to whom was referred House bills Nos. 16, 156 and 262, on the subject of the sale of intoxicating liquors, have duly considered the same, and direct me to return said bills to the House with the recommendation that they be laid on the table.

Which report was concurred in.

Mr. Branham offered the following resolution:

Resolved, That the Speaker of the House be, and he is hereby,

directed to draw his warrant in favor of Cyrus T. Nixon, Clerk, and M. G. McLain, Assistant Clerk, for the same amount as shall be allowed by the Senate to their Principal Secretary and their Assistant Secretary, for indexing and reading proof, and preparing the House Journal, including the filing of all bills remaining in possession of the House at the close of the session in the office of the State Librarian, preparatory for action in case of a Special Session.

Which resolution was adopted.

Mr. Cauthorn, from the Committee on the Judiciary, submitted the following report:

MR. SPEAKER:

The Committee on the Judiciary, to whom was referred Senate bill No. 6, entitled—a bill to protect society against dangerous consequences arising from setting at liberty persons who may have been acquitted of any murder, manslaughter, robbery, arson, rape, larceny or other felony upon the plea and defence of insanity, have duly considered the same, and have instructed to report the bill back with the recommendation that it be indefinitely postponed.

Which report was concurred in.

Mr. Johnson, chairman of the Committee on Public Expenditures, submitted the following report:

MR. SPEAKER:

Your Committee on Public Expenditures respectfully report that they have been unable for want of time to examine all the accounts and vouchers of officers pursuant to their instructions. They further show that they have only been able to complete a hasty examination of the accounts of the present State Librarian, and therefore they can not present all the facts, but beg leave to submit the following:

James De Sanno, the present State Librarian, took charge of the office in April, 1871; up to the present time there has been drawn from the Treasury on divers accounts, upon his certificates, according to the best estimate which your committee were able to make, the sum of thirty-one thousand two hundred and one dollars and fifty-three cents. Your committee call the attention of the At-

torney General to the same, that he ascertain whether all the property paid for by the State upon said vouchers has been delivered by the State Librarian to the State, and that he take such action in the premises as may be right.

Which report was concurred in.

Mr. Smith offered the following concurrent resolution:

Resolved by the House, the Senate concurring, That the State Librarian is hereby directed to turn over to the Secretary, Treasurer and Auditor of State the stationery in his possession bought of Braden & Burford, they being the proper custodians of the same.

Mr. Cauthorn moved that the resolution be laid on the table.

Which motion prevailed.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to the following Joint Resolution:

Engrossed Joint Resolution of the Senate No. 16, entitled a joint resolution in relation to railroad companies and corporations, and defining their duties, and giving directions to the Attorney General as to suits and proceedings now pending, and which may hereafter be brought.

Enrolled Senate Joint Resolution No. 16, entitled a joint resolution in relation to railroad companies and corporations, and defining their duties, and giving directions to the Attorney General as to suits and proceedings now pending, and which may be hereafter brought.

Mr. Clark offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring therein, that human life is inviolable, the death penalty is vindictive to the criminal, demoralizing to society, inadequate as a remedy, and inimical to christian civilization, and therefore all laws inflict-

ing capital punishment ought to be abolished, and imprisonment for a term of years or for life substituted therefor.

The question being, shall the concurrent resolution be adopted?

Messrs. Clark and Furnas demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Bowser, Broaddus, Clark, Claypool, Cowgill, Crumpacker, Eward, Furnas, Goudie, Hardesty, Henderson, Hollingsworth, Johnson, King, Kirkpatrick, Mellett, Odle, Prentiss, Reeves, Riggs, Satterwhite, Scott, Stanley, Teeter, Thayer, Thompson of (Elkhart), Troutman, Walker, Willard, Wilson (of Blackford), and Woodard—33.

Those who voted in the negative were, Messrs. Barker, Blocher, Branham, Brett, Butterworth, Cauthorn, Cobb, Durham, Eaton, Edwards (of Lawrence), Ellsworth, Gifford, Givan, Glazebrook, Gregory, Gronendyke, Hatch, Hedrick, Heller, Jones, Kimball, Miller, Offutt, Ogden, Peed, Richardson, Shirley, Tingley, Thompson (of Spencer), Tulley, Whitworth, Wood and Mr. Speaker—33.

Mr. Rudder being excused from voting.

So the joint resolution was not adopted.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has adopted the resolution of the House in relation to certain matters connected with a new State House, with the accompanying amendments:

Amend last page by adding, "the President of the Senate shall appoint three members of the Senate, and the Speaker of the House shall appoint three members of the House, to advertise for and receive bids for a new Capitol building plans; and said committees shall, in all things, act with and consult the Governor and Lieutenant Governor in such proceeding."

Amend by striking out first page of preamble.

Second. Amend page 2, line 7, by adding after the word "resolved," the following, "the House concurring."

Third. Amend pages 2 and 11, by striking out the word "said," and inserting the letter "a."

Fourth. Amend page 3 by striking out in line 7, all after the word "that;" also lines 8, 9, 10, 11, 12 and 13, except the word "that."

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has adopted the following concurrent resolution, to-wit:

WHEREAS, a bill has been offered in the General Assembly of Illinois, looking to the relief of the owners of the mill at Blue Island, in that State, which will be affected by the removal of the Calumet Dam; and,

WHEREAS, this subject has been the cause of much correspondence between this State and the State of Illinois; and the failure of some legislation, looking to the relief of the owners of the mill, will but result in the further litigation and great loss of property to the people of Lake and Porter counties; therefore, be it

Resolved, That this General Assembly does hereby respectfully request the General Assembly of the State of Illinois to enact such legislation as shall at once and forever set the matter at rest, and afford the relief so long deserved to a portion of the people of this State in this particular.

And be it further resolved, That the Attorney General be and is hereby directed to present this resolution to the General Assembly, and pray action in the name of the State.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in the concurrent resolution in relation to the renting of certain public grounds and the preservation of certain public property, with the accompanying Senate amendment:

Amend by adding the following: "Excepting, however, from

the provisions of this resolution all the property embraced and included in the resolution of the Senate to sell the property of the committee rooms of the Senate."

Mr. Miller offered the following amendment to the Constitution of the State of Indiana:

Amend article 15 of the Constitution, by adding thereto the following sections:

SEC. 4. It shall be the duty of the General Assembly first convening after the taking effect of this amendment by proper legislation to submit to the female inhabitants of the State, of the age of twenty-one years, and being qualified as to residence as required of other electors the questions: "for female suffrage" and against "female suffrage."

SEC. 5. Should the greater number of votes mentioned in the last preceding section be for "female suffrage," then and in that case the right of suffrage and election shall be extended to female inhabitants of the State of the age of twenty-one years, and upwards having the same qualifications as to residence as required of other electors.

Mr. Gronendyke offered the following amendment as a substitute:

Joint Resolution to amend article 2, section 2, of the Constitution.

Amend article 2, section 3, by striking out the word "male" after the word "white."

On motion of Mr. Butterworth, the amendment proposed by Mr. Miller and the substitute offered by Mr. Gronendyke were laid on the table.

House Joint Resolution No. 22 was taken up.

The question being, will the House agree to adopt the joint resolution, which is as follows:

House Joint Resolution No. 22—a joint resolution proposing amendments to the Constitution of the State of Indiana:

SEC. 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendments to the Constitution of

the State of Indiana be submitted to the people of this State for their adoption or rejection:

SEC. 2. Amend article 2, section 2, to read as follows:

"SEC. 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the State during the twelve months, and in the county three months immediately preceding such election; and every male of foreign birth of the age of twenty-one years and upwards, who shall have resided in the United States one or more years, and shall have resided in the State during the twelve months, and in the county three months immediately preceding such election, and shall have declared his intention to become a citizen of the United States, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote in the township or precinct where he shall have resided for the thirty days immediately preceding such election."

Amend by striking out section 5 of article 2.

Amend section 4 of article 4, by striking out of the same the word "white."

Amend section 5 of article 4, by striking out of the same the word "white."

Amend section 18, of article 4, to read as follows:

"SEC. 18. Every bill shall be read on three several days in each House, uuless in case of emergency; a majority of all the members elected to the House where such bill may be depending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill by sections on its final passage shall in no case be dispensed with, and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays."

Amend section 2, of article 7, to read as follows:

"SEC. 2. The Supreme Court shall consist of not less than five nor more than seven judges, a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long be-

have well: *Provided*, that the judges elected at the first election, after the taking effect of this amendment, shall be divided by lot into three classes, as nearly as may be, the fraction to be in the last class; and the seats in the first class shall be vacated at the expiration of two years; those of the second class at the expiration of four years, and those of the third class at the expiration of six years, so that one-third, as nearly as practicable, shall be chosen biennially forever thereafter."

Amend by striking out all of the sections in article 13, and inserting in lieu thereof the following section:

"SEC. 1. No political or municipal corporation in this State shall ever become indebted, in any manner or for any purpose, to an amount in the aggregate exceeding five per centum per annum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county purposes, previous to the incurring of such indebtedness, and all bonds or obligations in excess of such amount given by such corporations, shall be void."

Which was adopted as a whole by the following vote:

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Bowser, Branham, Brett, Broaddus, Butterworth, Cauthorn, Clark, Cole, Cowgill, Crumpacker, Durham, Eaton, Edwards (of Lawrence), Eward, Furnas, Gifford, Givan, Glazebrook, Goudie, Gregory, Hardesty, Hatch, Hedrick, Heller, Henderson, Hollingsworth, Kimball, King, Kirkpatrick, Mellett, Odle, Offutt, Prentiss, Reeves, Riggs, Satterwhite, Scott, Shirley, Stanley, Teeter, Tingley, Thompson (of Elkhart), Thompson (of Spencer), Troutman, Tulley, Walker, Wilson (of Blackford), Wood, Woodard and Mr. Speaker—51.

Those who voted in the negative were, Messrs. Barker, Blocher, Claypool, Cline, Cobb, Ellsworth, Johnson, Jones, Miller, Peed, Richardson, Rudder, Smith, Tulley, Whitworth and Willard—16.

The question being, shall the title as read stand as the title of the joint resolution?

It was so ordered.

Mr. Hatch offered the following amendment to the Constitution:

The question being, will the House agree to adopt the proposed amendment to the Constitution of the State of Indiana, which is as follows:

Amendments to the Constitution:

SEC. —, article —. Railways heretofore constructed or that may be constructed in this State, are hereby declared public highways, and shall be free to all persons, for the transportation of their person or their property thereon under such regulations as may be prescribed by law, and the General Assembly shall from time to time pass laws, establishing reasonable maximum rates of charges for the transportation of passengers and freights on the different railroads in this State. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortions in the rate of freights and passengers tariff on the different roads in the State, and enforce such laws by adequate penalties to the extent if necessary for that purpose of forfeiture of their property and franchises.

Which was ordered to be spread upon the journal, and which was not adopted for want of a constitutional majority by the following vote:

Those who voted in the affirmative were, Messrs. Baxter, Billingsley, Brett, Broaddus, Cauthorn, Clark, Crumpacker, Durham, Edwards (of Lawrence), Ellsworth, Eward, Furnas, Gifford, Givan, Glazebrook, Gregory, Gronendyke, Hardesty, Hatch, Hollingsworth, Mellett, Miller, Odle, Offutt, Ogden, Peed, Prentiss, Reeves, Richardson, Rudder, Satterwhite, Scott, Shirley, Teeter, Tulley, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood and Woodard—41.

Those who voted in the negative were, Messrs. Blocher, Cline, Cobb, Eaton, Kimball, Riggs, Tingley, Thompson (of Spencer), Whitworth and Mr. Speaker—9.

Twenty present and not voting.

Mr. Mellett offered the following resolution:

WHEREAS, The issue of Indianapolis Sentinel of this date contains a wanton attack upon the integrity of the Speaker and members of this House in an article on public printing; and

WHEREAS, The same paper in a recent issue warmly endorsed the bill passed by this House on the same subject, which bill this House adhered to the last; and

WHEREAS, The charges in said article are wholly false and without foundation in truth: Therefore,

Resolved, That the editor of the Sentinel, in the publication of said articles, is inconsistent, and at once merits the censure of this House.

The question being, shall the resolution be adopted?

Messrs. Gregory and Branham demanded the ayes and noes.

Those who voted in the affirmative were, Messrs. Billingsley, Butterworth, Cobb, Edwards (of Lawrence), Eward, Furnas, Gifford, Gronendyke, Hardesty, Hatch, Hollingsworth, Jones, Kimball, Kirkpatrick, Lent, Mellett, Miller, Odle, Prentiss, Scott, Tingley, Walker, Willard, Wilson (of Blackford), Willson (of Ripley), Wood and Mr. Speaker—25.

Those who voted in the negative were, Messrs. Blocher, Cauthorn, Claypool, Cline, Durham, Givan, Glazebrook, Gregory, Heller, McKinney, Peed, Richardson, Riggs, Rudder, Satterwhite, Shirley, Smith, Stanley, Tulley, and Whitworth—20.

So the resolution was not adopted for want of a constitutional majority.

Mr. Smith moved a call of the House.

Which motion did not prevail.

Mr. Walker offered the following resolution:

Resolved, That the Secretary of State be authorized and he is hereby directed to sell the property consisting of chairs, tables, desks, carpets, bowls, pitchers and other articles not herein named, bought and used by the several committies of the Senate in the committee rooms, said sale to be at auction, at 10 o'clock a. m., on Tuesday, March 10, at such place as may be named in the notice of sale, and after payment of necessary expenses the proceeds shall be placed in the Treasury, the chairman and clerks of such committees to turn over such property to the Secretary.

Which resolution was adopted.

Mr. Tingley, chairman of the Joint Committee to examine the accounts of the Indiana Soldiers' and Seamens' Home, submitted the following report:

MR. SPEAKER:

Your Joint Committee to whom was referred the examination of the accounts of the Indiana Soldiers' and Seamens' Home, have had the same under consideration, and fully examined the cash, books, vouchers, monthly statements and pay rolls from November 1, 1870, up to October 31, 1872, inclusive; and your committee ask leave to report, that they find all the accounts correct in all respects.

Mr. Walker was called to the chair by the Speaker.

Mr. Cauthorn offered the following resolution:

Resolved, That the thanks of the House be and are hereby tendered to William K. Edwards for the able, impartial manner he has discharged the arduous duties devolving upon him as Speaker of the House during the session, and for his future success and prosperity he has our best wishes.

Which resolution was unanimously adopted by a rising vote.

Senate joint resolution No. 22 was taken up.

A joint resolution authorizing the letting printing and paper to the lowest responsible bidder.

Mr. Mellett moved to lay the resolution on the table.

Pending the consideration of which, on motion of Mr. Branham, the House adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment, with the Speaker in the chair.

Mr. Cauthorn offered the following resolution :

Resolved, That the thanks of the House be and are hereby tendered to Cyrus T. Nixon, principal clerk, Moses G. McLain, assistant clerk, F. M. Busby, doorkeeper, and all their assistants for the prompt, kind and affable manner in which they have discharged their several duties.

Which resolution was adopted.

Mr. Branham snbmitted the stationary account of the principal and assistant clerks of the house, during the present session. The total amount was as follows :

Used by the principal clerk	$100 32
Used by the assistant clerk	137 53
Whole amount used by the principal and assistant clerks during the regular session 1873	237 85

Which was ordered to be spread on the journal.

The message of the Senate in relation to the concurrent resolution in relation to the Calumet dam was taken up.

On motion of Mr. Cauthorn the last resolution was stricken out.

And the concurrent resolution as amended was then concurred in.

The concurrent resolution of the House in relation to the plans for building a new State House, and the amendments of the Senate thereto were taken up.

Which amendments of the Senate were concurred in.

The Senate amendments to the House concurrent resolution in relation to the State House and State Grounds, were taken up and concurred in.

Mr. Edwards, of Lawrence, offered the following resolution.

Resolved, That the Secretary of State be authorized to send to each member of the House of Representatives three copies of the Legislative Brevier Reports, and the acts of this session and one copy each of the House and Senate Journals, of this and the special session as soon as the same are printed and bound.

Which was adopted.

Mr. Shirley offered the following resolution:

Resolved, That Lester L. Norton be and is hereby allowed the sum of two hundred dollars, for services rendered the Judiciary Committee as janitor; and the Speaker is hereby directed to draw his warrant on the Auditor of State for the same in addition to the one hundred dollars allowed in specific appropriation.

Which was adopted.

The following message was received from the Senate, by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House of Representatives, that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate the House concurring, That the Secretary of State be requested to have printed two thousand copies of the acts known as the circuit court bill, the fee bill, the assessment bill; have them stitched together and distribute them to the counties of the State according to ratio of population. In which the concurrence of the House is respectfully requested.

Mr. Billingsley offered the following concurrent resolution:

Resolved, That the elective officers of this House be allowed all the documents voted in the resolution of the gentleman from Lawrence to the members, and the revised statutes of the State as allowed heretofore to members.

Which resolution was adopted.

Mr. Baxter offered the following concurrent resolution:

Resolved by the House of Representatives, the Senate concurring therein, That the Commissioners of the House of Refuge be and they are hereby authorized to expend in improving the buildings of the said House of Refuge any surplus sums of money, if any there be, out of the amount appropriated by the general appropriation bill for the years 1873 and 1874.

Which was adopted.

The Speaker submitted the following report:

To the House of Representatives of the General Assembly of Indiana:

In obedience to law, the undersigned submits a detailed report of the warrants drawn by him during the session, in favor of members, officers and employees, showing the number of warrants drawn, the amount of each warrant, and to whom payable; and, also the aggregate amount of all warrants drawn in favor of each person, and the aggregate amount of all warrants drawn in favor of all persons.

Very respectfully,

W. K. EDWARDS,

Speaker of the House of Representatives.

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem.	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23	Charles W. Anderson	1	$34 00	$112 00	$146 00		
February 6	do do	138		112 00	112 00		
February 20	do do	276		112 00	112 00		
March 10	do do	418		152 00	152 00		
						$522 00	4
January 23	Joseph Baker	2	43 20	112 00	155 20		
February 6	do do	139		112 00	112 00		
February 20	do do	277		112 00	112 00		
March 10	do do	419		152 00	152 00		
						531 20	4
January 23	Stinson J. Barrett	3	20 00	112 00	132 00		
February 6	do do	140		112 00	112 00		
February 20	do do	278		112 00	112 00		
March 10	do do	420		152 00	152 00		
March 10	do do				*20 00		
						538 00	5
January 23	James Barker	4	63 20	112 00	175 20		
February 6	do do	141		112 00	112 00		
February 20	do do	279		112 00	112 00		
March 10	do do	421		152 00	152 00		
						551 20	4
January 23	William Baxter	5	27 60	112 00	139 60		
February 6	do do	142		112 00	112 00		
February 20	do do	280		112 00	112 00		
March 10	do do	422		152 00	152 00		
						515 60	4
January 23	John J. W. Billingsley	6		112 00	112 00		
February 6	do do	143		112 00	112 00		
February 20	do do	281		112 00	112 00		
March 10	do do	423		152 00	152 00		
						488 00	4
January 23	Jefferson C. Bowser	7	56 00	112 00	168 00		
February 6	do do	144		112 00	112 00		
February 20	do do	282		112 00	112 00		
March 10	do do	424		152 00	152 00		
						544 00	4
January 23	Daniel Blocher	8	40 00	112 00	152 00		
February 6	do do	145		112 00	112 00		
February 20	do do	283		112 00	112 00		
March 10	do do	425		152 00	152 00		
						528 00	4
January 23	David C. Branham	9	33 60	112 00	145 60		
February 6	do do	146		112 00	112 00		
February 20	do do	284		112 00	112 00		
March 10	do do	426		152 00	152 00		
						521 60	4
January 23	Matthew L. Brett	10	60 00	112 00	172 00		
February 6	do do	147		112 00	112 00		
February 20	do do	285		112 00	112 00		
March 10	do do	427		152 00	152 00		
						548 00	4
January 23	Clarence A. Buskirk	11	71 60	112 00	183 60		
February 6	do do	148		112 00	112 00		
February 20	do do	286		112 00	112 00		
March 10	do do	428		152 00	152 00		
						559 60	4
January 23	Nathan T. Butts	12	32 00	112 00	144 00		
February 6	do do	149		112 00	112 00		
February 20	do do	287		112 00	112 00		
March 10	do do	429		152 00	152 00		
						520 00	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem.	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23	William W. Butterworth	13	$72 80	$112 00	$184 80		
February 6	do do	150		112 00	112 00		
February 20	do do	288		112 00	112 00		
March 10	do do	430		152 00	152 00		
						$560 80	4
January 23	Warren H. Broaddus	14	26 00	112 00	138 00		
February 6	do do	151		112 00	112 00		
February 20	do do	289		112 00	112 00		
March 10	do do	431		152 00	152 00		
						514 00	4
January 23	Henry S. Cauthorn	15	60 00	112 00	172 00		
February 6	do do	152		112 00	112 00		
February 20	do do	290		112 00	112 00		
February 25	do do	415		*15 00	*15 00		
March 10	do do	432		152 00	152 00		
						563 00	5
January 23	Nathan H. Clark	16	10 00	112 00	122 00		
February 6	do do	153		112 00	112 00		
February 20	do do	291		112 00	112 00		
March 10	do do	433		152 00	152 00		
						498 00	4
January 23	Horatio R. Claypool	17	28 80	112 00	140 80		
February 6	do do	154		112 00	112 00		
February 20	do do	292		112 00	112 00		
March 10	do do	434		152 00	152 00		
						516 80	4
January 23	John W. Cline	18	20 60	112 00	132 60		
February 6	do do	155		112 00	112 00		
February 20	do do	293		112 00	112 00		
March 10	do do	435		152 00	152 00		
						508 60	4
January 23	Stewart S. Coffman	19	40 00	112 00	152 00		
February 6	do do	156		112 00	112 00		
February 20	do do	294		112 00	112 00		
March 10	do do	436		152 00	152 00		
March 10	do do				*30 00		
						558 00	5
January 23	Buell M. Cobb	20	43 60	112 00	155 60		
February 6	do do	157		112 00	112 00		
February 20	do do	295		112 00	112 00		
February 25	do do	416			*35 00		
March 10	do do	437		152 00	152 00		
						566 60	5
January 23	James W. Cole	21	21 60	112 00	133 60		
February 6	do do	158		112 00	112 00		
February 20	do do	296		112 00	112 00		
March 10	do do	438		152 00	152 00		
March 10	do do				*30 00		
						539 60	5
January 23	Carey E. Cowgill	22	34 80	112 00	146 80		
February 6	do do	159		112 00	112 00		
February 20	do do	297		112 00	112 00		
February 25	do do	417		35 00	*35 00		
March 10	do do	439		152 00	152 00		
						557 80	5
January 23	Theophilus Crumpacker	23	60 00	112 00	172 00		
February 6	do do	160		112 00	112 00		
February 20	do do	298		112 00	112 00		
March 10	do do	440		152 00	152 00		
						548 00	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	CONSIDERATION. Mileage	CONSIDERATION. Per Diem	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23	Stephen D. Dial	24	$82 00	$112 00	$194 00		
February 6	do do	161		112 00	112 00		
February 20	do do	299		112 00	112 00		
March 10	do do	441		152 00	152 00		
						$570 00	4
January 23	Jesse Y. Durham	25	26 00	112 00	138 00		
February 6	do do	162		112 00	112 00		
February 20	do do	300		112 00	112 00		
March 10	do do	442		152 00	152 00		
						514 00	4
January 23	Reason B. Eaton	26	48 00	112 00	160 00		
February 6	do do	163		112 00	112 00		
February 20	do do	301		112 00	112 00		
March 10	do do	443		152 00	152 00		
						530 00	4
January 23	Wm. H. Edwards	27	46 00	112 00	158 00		
February 6	do do	164		112 00	112 00		
February 20	do do	302		112 00	112 00		
March 10	do do	444		152 00	152 00		
						534 00	4
January 23	Wm. M. Ellsworth	28	68 80	112 00	180 80		
February 6	do do	165		112 00	112 00		
February 20	do do	303		112 00	112 00		
Maach 10	do do	445		152 00	152 00		
						556 80	4
January 23	John W. Eward	29	32 40	112 00	144 40		
February 6	do do	166		112 00	112 00		
February 20	do do	304		112 00	112 00		
March 10	do do	446		152 00	152 00		
						520 40	4
January 23	Allen Furnas	30	9 60	112 00	121 60		
February 6	do do	167		112 00	112 00		
February 20	do do	305		112 00	112 00		
March 10	do do	447		152 00	152 00		
March 10	do do				*30 00		
						527 60	5
January 23	Wm. H. Gifford	31	23 20	112 00	135 20		
February 6	do do	168		112 00	112 00		
February 20	do do	306		112 00	112 00		
March 10	do do	448		152 00	152 00		
						511 20	4
January 23	Noah H. Givan	32	38 00	112 00	150 00		
February 6	do do	169		112 00	112 00		
February 20	do do	307		112 00	112 00		
March 10	do do	449		152 00	152 00		
						526 00	4
January 23	Eugenius B. Glasgow	33	77 60	112 00	189 60		
February 6	do do	170		112 00	112 00		
February 20	do do	308		112 00	112 00		
March 10	do do	450		152 00	152 00		
						565 60	4
January 23	L. Dow Glazebrook	34	48 00	112 00	160 00		
February 6	do do	171		112 00	112 00		
February 20	do do	309		112 00	112 00		
March 10	do do	451		152 00	152 00		
						536 00	4
January 23	Israel Goble	35	29 20	112 00	141 20		
February 6	do do	172		112 00	112 00		
February 20	do do	310		112 00	112 00		
March 10	do do	452		152 00	152 00		
						517 20	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem	Amount of each Warrant.	Aggregate Am't of all warrants to each person.	Aggregate No. of warrants issued each person.
1873.							
January 23	George Goudie	36	$26 40	$112 00	$138 40		
February 6	do do	173		112 00	112 00		
February 20	do do	311		112 00	112 00		
March 10	do do	453		152 00	152 00		
						$514 40	4
January 23	Robert Gregory	37	38 40	112 00	150 40		
February 6	do do	174		112 00	112 00		
February 20	do do	312		112 00	112 00		
March 10	do do	454		152 00	152 00		
						526 40	4
January 23	John Gronendyke	38	47 20	112 00	159 20		
February 6	do do	175		112 00	112 00		
February 20	do do	313		112 00	112 00		
March 10	do do	455		152 00	152 00		
						535 20	4
January 23	John O. Hardesty	39	16 00	112 00	128 00		
February 6	do do	176		112 00	112 00		
February 20	do do	314		112 00	112 00		
March 10	do do	456		152 00	152 00		
March 10	do do				*30 00		
						534 00	5
January 23	Jethro A. Hatch	40	50 00	112 00	162 00		
February 6	do do	177		112 00	112 00		
February 20	do do	315		112 00	112 00		
March 10	do do	457		152 00	152 00		
						538 00	4
January 23	Mahlon Heller	41	62 40	112 00	174 40		
February 6	do do	178		112 00	112 00		
February 20	do do	316		112 00	112 00		
March 10	do do	458		152 00	152 00		
						550 40	4
January 23	Joseph Henderson	42	72 00	112 00	184 00		
February 6	do do	179		112 00	112 00		
February 20	do do	317		112 00	112 00		
March 10	do do	459		152 00	152 00		
						560 00	4
January 23	John T. Hedrick	43	18 00	112 00	130 00		
February 6	do do	180		112 00	112 00		
February 20	do do	318		112 00	112 00		
March 10	do do	460		152 00	152 00		
						506 00	4
January 23	Elihu Hollingsworth	44	29 20	112 00	141 20		
February 6	do do	181		112 00	112 00		
February 20	do do	319		112 00	112 00		
March 10	do do	461		152 00	152 00		
						517 20	4
January 23	Adam G. Hoyer	45	34 00	112 00	146 00		
February 6	do do	182		112 00	112 00		
February 20	do do	320		112 00	112 00		
March 10	do do	462		152 00	152 00		
						520 00	4
January 23	John R. Isenhauer	46	36 00	112 00	148 00		
February 6	do do	183		112 00	112 00		
February 20	do do	321		112 00	112 00		
March 10	do do	463		152 00	152 00		
						524 00	4
January 23	Edward T. Johnson	47		112 00	112 00		
February 6	do do	184		112 00	112 00		
February 20	do do	322		112 00	112 00		
March 10	do do	464		152 00	152 00		
						488 00	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	CONSIDERATION. Mileage	CONSIDERATION. Per Diem	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
January 23	Thomas N. Jones	48	$16 00	$112 00	$128 00		
February 6	do do	185		112 00	112 00		
February 20	do do	323		112 00	112 00		
March 10	do do	465		152 00	152 00		
						$504 00	4
January 23	Nathan Kimball	49		112 00	112 00		
February 6	do do	186		112 00	112 00		
February 20	do do	324		112 00	112 00		
March 10	do do	466		152 00	152 00		
						488 00	4
January 23	Edward King	50		112 00	112 00		
February 6	do do	187		112 00	112 00		
February 20	do do	325		112 00	112 00		
March 10	do do	467		152 00	152 00		
						488 00	4
January 23	Thomas M. Kirkpatrick	51	22 80	112 00	134 80		
February 6	do do	188		112 00	112 00		
February 20	do do	326		112 00	112 00		
March 10	do do	468		152 00	152 00		
						510 80	4
January 23	Edward S. Lenfesty	52	37 20	112 00	149 20		
February 6	do do	189		112 00	112 00		
February 20	do do	327		112 00	112 00		
March 10	do do	469		152 00	152 00		
						525 20	4
March 10	Patrick H. Lee	470	34 00	488 00	522 00		
						**522 00	1
January 23	Cyrus V. N. Lent	53	50 00	112 00	162 00		
February 6	do do	190		112 00	112 00		
February 20	do do	328		112 00	112 00		
March 10	do do	471		152 00	152 00		
						538 00	4
January 23	Marquis L. Martin	54	26 00	112 00	138 00		
February 6	do do	191		112 00	112 00		
February 20	do do	329		112 00	112 00		
March 10	do do	472		152 00	152 00		
						514 00	4
January 23	Arthur C. Mellett	55	21 60	112 00	133 60		
February 6	do do	193		112 00	112 00		
February 20	do do	330		112 00	112 00		
March 10	do do	473		152 00	152 00		
						509 60	4
January 23	John D. Miller	56	18 40	112 00	130 40		
February 6	do do	193		112 00	112 00		
February 20	do do	331		112 00	112 00		
March 10	do do	474		152 00	152 00		
						506 40	4
January 23	James A. McKinney	57	28 00	112 00	140 00		
February 6	do do	194		112 00	112 00		
February 20	do do	332		112 00	112 00		
March 10	do do	475		152 00	152 00		
						516 00	4
January 23	John M. McConnell	58	56 00	112 00	168 00		
February 6	do do	195		112 00	112 00		
February 20	do do	333		112 00	112 00		
March 10	do do	476		152 00	152 00		
						544 00	

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23	Benjamin North	59	$42 40	$112 00	$154 40		
February 6	do do	196		112 00	112 00		
February 20	do do	334		112 00	112 00		
March 10	do do	477		152 00	152 00	$530 40	4
January 23	Richard G. Odle	60	43 00	112 00	155 00		
February 6	do do	197		112 00	112 00		
February 20	do do	335		112 00	112 00		
March 10	do do	478		152 00	152 00	531 00	4
January 23	Charles G. Offutt	61	8 00	112 00	120 00		
February 6	do do	198		112 00	112 00		
February 20	do do	336		112 00	112 00		
March 10	do do	479		152 00	152 00	496 00	4
January 23	Jesse S. Ogden	62	8 00	112 00	120 00		
February 6	do do	199		112 00	112 00		
February 20	do do	337		112 00	112 00		
March 10	do do	480		152 00	152 00	496 00	4
January 23	Henry A. Peed	63	59 20	112 00	171 20		
February 6	do do	200		112 00	112 00		
February 20	do do	338		112 00	112 00		
March 10	do do	481		152 00	152 00	547 20	4
January 23	Wm. Prentiss	64	76 00	112 00	188 00		
February 6	do do	201		112 00	112 00		
February 20	do do	339		112 00	112 00		
March 10	do do	482		152 00	152 00	564 00	4
January 23	Wm H. Pfrimmer	65	54 00	112 00	166 00		
February 6	do do	202		112 00	112 00		
February 20	do do	340		112 00	112 00		
March 10	do do	483		152 00	152 00	542 00	4
January 23	James Rudder	66	60 00	112 00	172 00		
February 6	do do	203		112 00	112 00		
February 20	do do	341		112 00	112 00		
March 10	do do	484		152 00	152 00	548 00	4
January 23	Jesse H. Reno	67	18 40	112 00	130 40		
February 6	do do	204		112 00	112 00		
February 20	do do	342		112 00	112 00		
March 10	do do	485		152 00	152 00	506 40	4
January 23	Andrew W. Reeves	68	32 00	112 00	144 00		
February 6	do do	205		112 00	112 00		
February 20	do do	343		112 00	112 00		
March 10	do do	486		152 00	152 00	520 00	4
January 23	James D. Riggs	69	76 80	112 00	188 80		
February 6	do do	206		112 00	112 00		
February 20	do do	344		112 00	112 00		
March 10	do do	487		152 00	152 00	564 80	4
January 23	John F. Richardson	70	32 80	112 00	144 80		
February 6	do do	207		112 00	112 00		
February 20	do do	345		112 00	112 00		
March 10	do do	488		152 00	152 00	520 80	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem	Amount of each Warrant	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23	John E. Rumsey	71	$16 00	$112 00	$128 00		
February 6	do do	208		112 00	112 00		
February 20	do do	346		112 00	112 00		
March 10	do do	489		152 00	152 00		
						$504 00	4
January 23	Harvey Satterwhite	72	12 40	112 00	124 40		
February 6	do do	209		112 00	112 00		
February 20	do do	347		112 00	112 00		
March 10	do do	490		152 00	152 00		
						500 40	4
January 23	Gabriel Schmuck	73	92 80	112 00	204 80		
February 6	do do	210		112 00	112 00		
February 20	do do	348		112 00	112 00		
March 10	do do	491		152 00	152 00		
						580 80	4
January 23	David S. Scott	74	93 60	112 00	205 60		
February 6	do do	211		112 00	112 00		
February 20	do do	349		112 00	112 00		
March 10	do do	492		152 00	152 00		
						581 60	4
January 23	William S. Shirley	75	12 40	112 00	124 40		
February 6	do do	212		112 00	112 00		
February 20	do do	350		112 00	112 00		
March 10	do do	493		152 00	152 00		
						500 40	4
January 23	Weller B. Smith	76	16 00	112 00	128 00		
February 6	do do	213		112 00	112 00		
February 20	do do	351		112 00	112 00		
March 10	do do	494		152 00	152 00		
						504 00	4
January 23	Samuel D. Spellman	77	14 80	112 00	126 80		
February 6	do do	214		112 00	112 00		
February 20	do do	352		112 00	112 00		
March 10	do do	495		152 00	152 00		
						502 80	4
January 23	Henry C. Stanley	78	80 00	112 00	192 00		
February 6	do do	215		112 00	112 00		
February 20	do do	353		112 00	112 00		
March 10	do do	496		152 00	152 00		
						568 00	4
January 23	Samuel S. Shutt	79	68 00	112 00	180 00		
February 6	do do	216		112 00	112 00		
February 20	do do	354		112 00	112 00		
March 10	do do	497		152 00	152 00		
						556 00	4
January 23	William Strange	80	24 00	112 00	136 00		
February 6	do do	217		112 00	112 00		
February 20	do do	355		112 00	112 00		
March 10	do do	498		152 00	152 00		
						512 00	4
January 23	George H. Teeter	81	64 00	112 00	176 00		
February 6	do do	218		112 00	112 00		
February 20	do do	356		112 00	112 00		
March 10	do do	499		152 00	152 00		
						552 00	4
January 23	Benjamin F. Tingley	82	16 00	112 00	128 00		
February 6	do do	219		112 00	112 00		
February 20	do do	357		112 00	112 00		
March 10	do do	500		152 00	152 00		
						504 00	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	CONSIDERATION. Mileage	CONSIDERATION. Per Diem	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued each person.
January 23	William Thompson	83	$110 40	$112 00	$222 40		
February 6	do do	220		112 00	112 00		
February 20	do do	358		112 00	112 00		
March 10	do do	501		152 00	152 00	$598 40	4
January 23	John E. Thompson	84	80 00	112 00	192 00		
February 6	do do	221		112 00	112 00		
February 20	do do	35[illegible]		112 00	112 00		
March 10	do do	50[illegible]		152 00	152 00	568 00	4
January 23	John D. Thayer	8[illegible]	70 00	112 00	182 00		
February 6	do do	222		112 00	112 00		
February 20	do do	3[illegible]		112 00	112 00		
March 10	do do	50[illegible]		152 00	152 00		
March 10	do do	50[illegible]			*30 00	588 00	5
January 23	Peter S Troutman	8[illegible]	46 00	112 00	158 00		
February 6	do do	223		112 00	112 00		
February 20	do do	361		112 00	112 00		
March 10	do do	504		152 00	152 00	534 00	4
January 23	Cyrus B. Tulley	87	64 00	112 00	176 00		
February 6	do do	224		112 00	112 00		
February 20	do do	36[illegible]		112 00	112 00		
March 10	do do	505		152 00	152 00	552 00	4
January 23	Lewis C. Walker	88	27 60	112 00	139 60		
February 6	do do	225		112 00	112 00		
February 20	do do	36[illegible]		112 00	112 00		
March 10	do do	506		152 00	152 00	515 60	4
January 23	William D. Willson	89	50 00	112 00	162 00		
February 6	do do	226		112 00	112 00		
February 20	do do	364		112 00	112 00		
March 10	do do	507		152 00	152 00		
February 25	do do	414		35 00	*35 00	573 00	5
January 23	Abram Wilson	90	33 60	112 00	145 60		
February 6	do do	227		112 00	112 00		
February 20	do do	365		112 00	112 00		
March 10	do do	508		152 00	152 00	501 60	4
January 23	James H. Willard	91	46 80	112 00	158 80		
February 6	do do	228		112 00	112 00		
February 20	do do	366		112 00	112 00		
March 10	do do	509		152 00	152 00	534 80	4
January 23	Christian S. Wesner	92	11 20	112 00	123 20		
February 6	do do	229		112 00	112 00		
February 20	do do	367		112 00	112 00		
March 10	do do	510		152 00	152 00	499 20	4
January 23	George Woolflin	93	76 80	112 00	188 80		
February 6	do do	230		112 00	112 00		
February 20	do do	368		112 00	112 00		
March 10	do do	511		152 00	152 00	5[illegible]4 80	4

WARRANTS DRAWN—BY WHOM.

DATE.	TO WHOM PAYABLE.	No.	Consideration. Mileage	Consideration. Per Diem	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of warrants issued to each person.
1873.							
January 23.....	Thomas W. Woollen.....	94	$ 8 00	$112 00	$120 00		
February 6.....	do do	231	.....	112 00	112 00		
February 20.....	do do	369	.....	112 00	112 00		
March 10.....	do do	512	.....	152 00	152 00		
February 25.....	do do	413	.....	40 00	*40 00		
						$536 00	5
January 23.....	Martin Wood	95	68 00	112 00	180 00		
February 6.....	do do	232	.....	112 00	112 00		
February 20.....	do do	370	.....	112 00	112 00		
March 10	do do	513	.....	152 00	152 00		
						556 00	4
January 23.....	John E. Woodard.....	96	42 00	112 00	154 00		
February 6	do do	233	.....	112 00	112 00		
February 20.....	do do	371	.....	112 00	112 00		
March 10.....	do do	514	.....	152 00	152 00		
March 10.	do do	558	.....	30 00	*30 00		
						558 00	5
January 23.....	James W. Whitworth.....	97	90 00	112 00	202 00		
February 6	do do	234	.....	112 00	112 00		
February 20	do do	372	.....	112 00	112 00		
March 10.....	do do	515	.....	152 00	152 00		
						578 00	4
January 23.....	James M. Wynn	98	23 20	112 00	135 20		
February 6.....	do do	235	.....	112 00	112 00		
February 20.....	do do	373	.....	112 00	112 00		
March 10.....	do do	516	.....	152 00	152 00		
						511 20	4
January 23.....	William K. Edwards.....	99	29 20	112 00	141 20		
February 6.....	do do	236	.....	112 00	112 00		
February 20.....	do do	374	.....	112 00	112 00		
March 10.	do do	517	.....	152 00	152 00		
						517 20	4

PRINCIPAL CLERK AND HIS ASSISTANTS.

DATE.	TO WHOM PAYABLE.	No.	ON ACCOUNT OF.	Amount of each warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of all warrants issued to each person.
1873.						
January 23.....	Cyrus T. Nixon.....	100	Principal Clerk.....	$ 70 00		
February 6.....	do do	237	.....	70 00		
February 20.....	do do	375	.....	70 00		
March 10.....	do do	518	.....	95 00		
March 10.....	do do	584	.....	†500 00		
March 10.....	do do	58	.....	‡‡100 00		
					$905 00	6
January 23.....	John C. McCormick.....	101	Registering Clerk.....	70 00		
February 6.....	do do	238	.....	70 00		
February 20.....	do do	376	.....	70 00		
March 10.....	do do	519	.....	95 00		
March 10.....	do do	564	.....	‡‡100 00		
					405 00	5

PRINCIPAL CLERK AND HIS ASSISTANTS.

DATE.	TO WHOM PAYABLE.	No. of Warrant.	ON ACCOUNT OF.	Amount of each warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of all warrants issued to each person.
1873						
January 23	John L. Rupe	102	Reading Clerk	70 00		
February 6	do do	239		70 00		
February 20	do do	377		70 00		
March 10	do do	520		95 00		
March 10	do do	565		‡100 00		
					405 00	5
January 23	John C. Eiler	103		70 00		
February 6	do do	240		70 00		
February 20	do do	378		70 00		
March 10	do do	521		95 00		
March 10	do do	566		‡100 00		
					405 00	5
January 23	John M. Commons	104	Enrolling Clerk	70 00		
February 6	do do	241		70 00		
February 20	do do	379		70 00		
March 10	do do	522		95 00		
March 10	do do	567		‡100 00		
					405 00	5
January 23	D. W. Rowland	105	Enrolling Clerk	70 00		
February 6	do do	242		70 00		
February 20	do do	380		70 00		
March 10	do do	523		95 00		
March 10	do do	568		‡100 00		
					405 00	5
January 23	Electa Pettijohn	106	Enrolling Clerk	70 00		
February 6	do do	243		70 00		
February 20	do do	381		70 00		
March 10	do do	524		95 00		
March 10	do do	569		‡100 00		
					405 00	5
January 23	Stephen Metcalf	107	Engrossing Clerk	70 00		
February 6	do do	244		70 00		
February 20	do do	382		70 00		
March 10	do do	525		95 00		
March 10	do do	570		‡100 00		
					405 00	5
January 23	G. S. Wright	108	Engrossing Clerk	70 00		
February 6	do do	245		70 00		
February 20	do do	383		70 00		
March 10	do do	526		95 00		
March 10	do do	571		‡100 00		
					405 00	5
January 23	W. H. Snodgrass	109	Engrossing Clerk	70 00		
February 6	do do	246		70 00		
February 20	do do	384		70 00		
March 10	do do	527		95 00		
March 10	do do	572		‡100 00		
					405 00	5
January 23	Eugene Sullivan	110	Engrossing Clerk	70 00		
February 6	do do	247		70 00		
February 20	do do	385		70 00		
March 10	do do	528		95 00		
March 10	do do	573		‡100 00		
					405 00	5
January 23	Charles Lumbirt	111	Principal Clerk's Page	42 00		
February 6	do do	248		42 00		
February 20	do do	386		42 00		
March 10	do do	529		57 00		
					183 00	4

ASSISTANT CLERK AND HIS EMPLOYEES.

DATE.	TO WHOM PAYABLE.	No of Warrant.	ON ACCOUNT OF.	Amount of each Warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of all warrants issued to each person.
1873.						
January 23	Moses G. McLain	121	Assistant Clerk	$70 00		
February 6	do do	249		70 00		
February 20	do do	387		70 00		
March 10	do do	530		95 00		
March 10	do do	585		†500 00		
March 10	do do	587		‡100 00		
					$905 00	
January 23	Alexander Shepherd	125	Journal Clerk	70 00		
February —	do do	262		55 00		
					125 00	2
February 20	O. P. Osgood	394	Journal Clerk	85 00		
March 10	do do	531		95 00		
March 10	do do	574		‡100 00		
					280 00	3
January 23	William S. Barkley	123	Minute Clerk	70 00		
February 6	do do	250		70 00		
February 20	do do	388		70 00		
March 10	do do	532		95 00		
March 10	do do	575		‡100 00		
					405 00	5
January 23	D. M. Ransdell	122	Copying Clerk	70 00		
February 6	do do	251		70 00		
February 20	do do	389		70 00		
March 10	do do	533		95 00		
March 10	do do	576		‡100 00		
					405 00	5
January 23	W. H. Brown	128	Copying Clerk	70 00		
February 6	do do	254		70 00		
February 20	do do	392		70 00		
March 10	do do	534		95 00		
March 10	do do	577		‡100 00		
					405 00	5
January 23	John L. Pitner	124	Copying Clerk	70 00		
February 6	do do	252		70 00		
February 20	do do	390		70 00		
March 10	do do	535		95 00		
March 10	do do	578		‡100 00		
					405 00	5
January 23	Lewis T. Wilson	126	Copying Clerk	70 00		
February 6	do do	253		70 00		
February 20	do do	391		70 00		
March 10	do do	536		95 00		
March 10	do do	579		‡100 00		
					405 00	5
January 23	John T. Cookus	127	Copying Clerk	70 00		
February 6	do do	255		70 00		
February 20	do do	393		70 00		
March 10	do do	537		95 00		
March 10	do do	580		‡100 00		
					405 00	5

DOORKEEPER AND HIS EMPLOYES.

DATE.	TO WHOM PAYABLE.	No. of Warrant.	ON ACCOUNT OF.	Amount of each warrant.	Agregnte am't of all warrants to each person.	Aggregate No of all warrants issued to each person.
January 23	W. T. Lockbart	112	Doorkeeper	$ 70 00		
February 6	do do	256		70 00		
Februa y 20	do do	395		¶70 00		
March 10	do do	538		¶95 00		
					$305 00	4
January 23	J. J. Ferrris	113	First Ast. D. K	70 00		
February 6	do do	257		70 00		
February 20	do do	396		70 00		
March 10	do do	539		95 00		
March 10	do do	581		‡100 00		
					405 00	5
January 23	Frank M. Busby	114	D. K. West L	70 00		
February 6	do do	258		70 00		
Februa ry 20	do do	397		70 00		
March 10	do do	540		95 00		
March 10	do do	582		‡100 00		
					405 00	5
January 23	W. H. Fre man	115	D. K. East L	70 00		
February 6	do do	259		70 00		
February 20	do do	398		70 00		
March 10	do do	541		95 00		
March 10	do do	583		‡100 00		
					405 00	5
January 23	J. H. Edwards	116	Postmaster	70 00		
February 6	do do	260		70 00		
February 20	do do	399		70 00		
March 10	do do	542		95 00		
					305 00	4
January 23	Jesse Greene	117	Sweeper and M. C.	70 00		
February 6	do do	261		70 00		
February 20	do do	400		70 00		
March 10	do do	543		95 00		
					305 00	4
January 23	M. L. Wagner	118	Water Carrier	70 00		
February 6	do do	263		70 00		
February 20	do do	401		70 00		
March 10	do do	544		95 00		
					305 00	4
January 23	Frank Matlock	119	Paper Folder	70 00		
February 6	do do	265		70 00		
February 20	do do	402		70 00		
March 10	do do	545		95 00		
					305 00	4
January 23	Fred. Loffler	120	Spittoon Cleaner	70 00		
February 6	do do	266		70 00		
February 20	do do	403		70 00		
March 10	do do	546		95 00		
					305 00	4

COMMITTEE CLERKS.

DATE.	TO WHOM PAYABLE.	No. of Warrant.	ON ACCOUNT OF.	Amount of each warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of all warrants iss'd to each person.
1873.						
January 23	Minnie C. Morean	129	Committee Clerk	$70 00		
February 6	do do	267		70 00		
February 20	do do	401		70 00		
March 10	do do	547		95 00		
					$305 00	4
January 23	Webster Dixon	130	Committee Clerk	70 00		
February 6	do do	268		70 00		
February 20	do do	405		70 00		
March 10	do do	548		95 00		
					305 00	4
January 23	R. C. Wilkinson	136	Committee Clerk	70 00		
February 6	do do	274		70 00		
February 20	do do	411		70 00		
March 10	do do	554		95 00		
					305 00	4
January 23	Charles S. Woodard	137	Janitor Com. Rooms	70 00		
February 6	do do	275		70 00		
February 20	do do	412		70 00		
March 10	do do	555		95 00		
					305 00	4
March 10	Lester L. Norton	563	Jan'r Jud. Com. Rooms		¶¶200 00	1

PAGES.

DATE.	TO WHOM PAYABLE.	No. of Warrant.	ON ACCOUNT OF.	Amount of each warrant.	Aggregate am't of all warrants to each person.	Aggregate No. of all warrants iss'd to each person.
1873.						
January 23	Charles C. Burnett	131	Speaker's Page	42 00		
February 6	do do	269		42 00		
February 20	do do	406		42 00		
March 10	do do	549		57 00		
					183 00	4
January 23	Edward Mason	132	Floor Page	42 00		
February 6	do do	270		42 00		
February 20	do do	407		42 00		
March 10	do do	550		57 00		
					183 00	4
January 23	George O. Cobb	133	Floor Page	42 00		
February 6	do do	271		42 00		
February 20	do do	408		42 00		
March 10	do do	551		57 00		
					183 00	4
January 23	Elmer E. Apt	134	Floor Page	42 00		
February 6	do do	272		42 00		
February 20	do do	409		42 00		
March 10	do do	552		57 00		
					183 00	4
January 23	Samuel Maxwell	135	Floor Page	42 00		
February 6	do do	273		42 00		
February 20	do do	410		42 00		
March 10	do do	553		57 00		
					183 00	4

AGGREGATES.

Aggregate amount of all warrants issued in favor of all persons	$67,495 00
Aggregate number of all warrants issued to all persons	587 00

RECAPITULATION.

Aggregate amount of all warrants issued in favor of all members of the House on account of Per Diem	$48,800 00
On account of Mileage	4,067 00
To Select Committee on Re-districting the State for Judicial Purposes	*160 00
To the Standing Committee on the Affairs of the Prisons for expenses in visiting the same	*210 00
Aggregate amount to members	53,237 00
To Principal Clerk and employees and Page	3,538 00
To Assistant Clerk and employees	2,440 00
To Doorkeeper and employees	2,745 00
To Speaker's Page and Floor Pages	915 00
To Committee Clerks	915 00
To Committee Room Janitor	305 00
To extra allowance to Clerk, Assistant Clerk and employees, and Doorkeeper and his three principal assistants	‡2,200 00
To allowances for Clerk and Assistant Clerk for indexing Journals, etc	†1,000 00
To Lester L. Norton, Janitor Judiciary Committee room	¶¶200 00
	$67,495 00

EXPLANATIONS.

* Paid as per resolutions of the House February 5th and March 6th.

** Paid as per resolution of March 4th to Frederick Lee, Administrator of P. H. Lee, deceased.

† Allowed by resolution of House March 10.

‡ Allowed, per resolution of House March 8th, warrant issued by Speaker, and payment refused.

¶ Paid, as per resolution of March 7th, to Allen Furnas.

¶¶ Allowed, as per resolution of House March 10th, warrant issued by Speaker, and payment refused.

Which was ordered to be spread upon the journal.

The message of the Senate in relation to the printing of two hundred copies of certain acts passed by the General Assembly, was taken up.

Whereupon Mr. Woollen offered the following amendment:

Strike out of the resolution the following words: "The acts known as the Circuit Court bill and the Fee bill."

Amend by inserting: "Also, the bill in regard to the order of business in the Circuit Court; the bill in regard to the convening and adjournment of grand juries; and the bill in relation to prosecutions for misdemeanors on affidavit, to be printed with the Court bill."

Which amendments were adopted, and the concurrent resolution as amended was then concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has concurred in the following concurrent resolution of the House, to-wit:

Resolved by the House, the Senate concurring, That the Secretary of State is hereby authorized to have printed one thousand copies of the law abolishing the Common Pleas Court and re-districting the State for judicial purposes, and five hundred copies of the law regulating the fees and salaries of county officers in pamphlet form, and have them distributed equally among the counties of the State to the various Clerks of the counties.

And the same is herewith returned to the House.

The Speaker announced that he had appointed as a committee on the part of the House, Messrs. Branham, Glazebrook and King, in compliance with a concurrent resolution of the House, in relation to the building of a new State House.

Mr. Shirley moved a call of the House.

Which motion did not prevail.

On motion, the House took a recess until 5 o'clock p. m.

The House met pursuant to the order for recess.

The Speaker appointed Messrs. Cobb, Smith and Edwards, of Lawrence, as a committee to wait upon the Governor and ascertain if he had anything further to communicate to the House.

The following message was received from the Governor by his Private Secretary, Samuel R. Downey:

MR. SPEAKER:

By direction of the Governor, I have the honor to inform the

House that His Excellency has approved and signed Enrolled act No. 304, entitled—an act supplementary and amendatory of an act entitled "An act to provide for a uniform assessment of property and for the collection and return of taxes therein," approved Dec. 21, 1872.

Also, Enrolled act No. 224, entitled—an act to amend the first section of an act, approved January 14, 1846, entitled "An act to incorporate the Female Seminary of St. Marys of the Woods, in Vigo county, Indiana," by authorizing Schools for youth, an Orphan Asylum, a Hospital and other works of charity by said corporation.

Also, Enrolled act No. 530, entitled—an act to raise revenue for State purposes for the years 1873 and 1874.

Also, Enrolled act No. 377, entitled—an act declaratory of the law of this State as to the eligibility of women to certain offices therein named.

Also, Enrolled act No. 339, entitled—an act defining certain felonies and prescribing punishment therefor.

Also, Enrolled act No. 532, entrtled—an act authorizing the Governor, Auditor and Treasurer of State to make a temporary loan.

Also, Enrolled act No. 495, entitled—an act to amend section 1 of an act entitled an act to amend sections 9, 10, 18, 19, 23, 24 and 33 of an act entitled "An act to incorporate the town of Vernon, Jennings county, Indiana," approved January 22, 1851, approved December 20, 1865, and to legalize certain ordinances of said corporation.

Also, Enrolled act No. 241, entitled—an act to give security to persons who contract with railroad corporations to perform work and labor in the construction of railroads, and declaring an emergency.

Also, Enrolled act No. 139, entitled—an act relating to expenses incurred by one county by change of venue from another county.

Also, Enrolled act No. 541, entitled—an act fixing the time of holding the Circuit Court in the Thirteenth Judicial Circuit of this State.

Also, Enrolled act No. 503, entitled—an act regulating the convening and adjournment of grand juries.

Also, Enrolled act No. 213, entitled—an act defining cruelty to animals, declaring it a misdemeanor, and providing a penalty therefor.

Also, Enrolled act No. 531, entitled—an act making general appropriations for the years one thousand eight hundred and seventy-three and one thousand eight hundred and seventy-four.

Also, Enrolled act No. 535, entitled—an act making specific appropriations for the year one thousand eight hundred and seventy-three.

And that he has caused the same to be deposited in the office of the Secretary of State.

SAMUEL R. DOWNEY,
Private Secretary.

Mr. Cobb, chairman of the Select Committee appointed to wait upon the Governor, submitted the following report:

Mr. Speaker:

Your Select Committee, appointed to wait upon the Governor, have discharged that duty, and are requested by the Governor to report that he has no further communications to make to the House of Representatives.

The following message was received from the Senate by the Secretary thereof:

Mr. Speaker:

I am directed by the Senate to inform the House that the Senate passed, with the accompanying engrossed amendments, the following joint resolution, to-wit:

House Joint Resolution No. 23—a joint resolution to amend article 2, section 14 of the Constitution.

And the same is herewith returned to the House.

Engrossed Senate amendments to House Joint Resolution No. 23. Strike out all between the words "on," in line 2, section 14,

and the word "provided," in line 3, and insert in lieu thereof the following words, to-wit: "The first Tuesday after the first Monday in November until otherwise." Amend by prefixing to the resolution the following words: "Be it resolved by the General Assembly of the State of Indiana." Also, amend by striking out the word "amend," in line 1, and insert the word "that." Also, amend by inserting in line 2, after the word "State," the words "be and the same is hereby amended."

The Senate amendments to House joint resolution No. 23 were taken up.

Amend section 14 of article 2 of the Constitution of the State so as to read as follows:

SEC. 14. All general elections shall be held on the first Tuesday after the first Monday in November, until otherwise provided by law.

Which amendments were concurred in, and the joint resolution as amended ordered to be spread upon the journal.

A joint resolution to amend article 2, section 14, of the Constitution.

Be it resolved by the General Assembly of the State of Indiana, That section 14, of article 2, of the Constitution be, and the same is hereby amended so as to read as follows, to-wit:

SEC. 14. All general elections shall be held on the first Tuesday after the first Monday in November, until otherwise provided by law.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate has passed, with the accompanying engrossed amendments, the following joint resolution, to-wit:

House Joint Resolution No. 22—a joint resolution proposing amendments to the Constitution of the State of Indiana.

Engrossed Senate amendments to House Joint Resolution No. 22:

Amend by striking out section 6.

Amend further by adding the following section to article 7, section 22: "The election for judicial officers may be provided for by the General Assembly to take place at such time when no other election is pending."

And the same are herewith submitted to the House for its action thereon.

The message of the Senate in relation to House Joint Resolution No. 22, and the engrossed Senate amendments thereto, were taken up, and the amendments concurred in.

The joint resolution then as amended was adopted and ordered to be spread upon the journal.

A joint resolution proposing amendments to the Constitution of the State of Indiana.

SECTION 1. *Be it resolved by the General Assembly of the State of Indiana*, That the following amendments to the Constitution of the State of Indiana be submitted to the people of this State for their adoption or rejection:

Amend article 2, section 2, to read as follows:

SEC. 2. In all elections, not otherwise provided for by this Constitution, every male citizen of the United States of the age of twenty-one years and upwards, who shall have resided in the State during the twelve months, and in the county three months, immediately preceding such election, and every male of foreign birth of the age of twenty-one years and upwards, who shall have resided in the United States one or more years, and shall have resided in the State during the twelve months and in the county three months immediately preceding such election, and shall have declared his intention to become a citizen of the United States conformably to the laws of the United States on the subject of natusalization, shall be entitled to vote in the township or precinct where he shall have resided for the thirty days immediately preceding such election.

SEC. 3. Amend by striking out section 5 of article 2.

SEC. 4. Amend section 4 of article 4 by striking out of the same the word "white."

SEC. 5. Amend section 5 of article 4 by striking out of the same the word "white."

SEC. 6. Amend section 2, of article 7, to read as follows:

"SEC. 2. The Supreme Court shall consist of not less than five nor more than seven judges, a majority of whom shall form a quorum. They shall hold their offices for six years, if they so long behave well; *Provided*, that the judges elected at the first election after the taking effect of this amendment shall be divided by lot into three classes, as nearly as may be, the fraction to be in the last class; and the seats of the first class shall be vacated at the expiration of two years; those of the second class at the expiration of four years; and those of the third class at the expiration of six years; so that one-third, as nearly as practicable, shall be chosen biennially forever thereafter."

SEC. 7. Amend by striking out all of the sections in article 13, and inserting in lieu thereof the following section:

"SEC. 1. No political or municipal corporation in this State shall ever become indebted in any manner, or for any purpoes, to any amount in the aggregate exceeding five per centum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county purposes, previous to the incurring of such indebtedness; and all bonds or obligations in excess of such amount given by such corporations shall be void."

SEC. 8. Amend further by adding the following section to article 7 of section 22: "The election for judicial officers may be provided for by the General Assembly to take place at such time when no other election is pending."

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit:

WHEREAS, several acts were passed at the present session of the General Assembly increasing the salaries of different State officers, and

WHEREAS, sums equal to the salaries of such officers, as fixed by former laws of this State, were included in the appropriation bills passed at this session; therefore, be it

Resolved by the Senate, the House concurring therein, that it was the intent and meaning of the acts so passed increasing the salaries of said State officers, to fix and allow the sums fixed and stated in said acts, increasing the salaries of said State officers, to be in full of the amounts to be paid to them on account of their said salaries.

Inwhich the concurrence of the House is respectfully requested.

Which message of the Senate and concurrent resolution was taken up, and the concurrent resolution concurred in.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am instructed by the Senate to inform the House of Representatives that the Senate has adopted the following concurrent resolution, to-wit:

Resolved by the Senate, the House of Representatives concurring, that the Governor, Auditor, Secretary and Treasurer of State be, and the same are hereby authorized and empowered, by and with the advice of the Superintendent of the Insane Asylum, to take the necessary steps for the erection of an additional Asylum for the Insane, on the grounds now occupied by the Insane Asylum; that said Asylum be similar in plan and construction to the one now erected, with such modifications and improvements as may be

needed; such Asylum not to exceed in cost the sum of five hundred thousand dollars. The faith of the State is hereby pledged for the faithful payment of whatever amount shall be expended under this resolution before the assembling of the next General Assembly; also, the Governor, Secretary and Auditor of State are hereby authorized to finish and complete the Reformatory Institution for Women and Girls, and use the same temporarily for the use of the insane of this State.

And the House is respectfully requested to concur in the same.

Which message of the Senate and concurrent resolution was taken up, and, on motion of Mr. Tulley, the concurrent resolution was laid on the table.

Mr. Cobb, chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

The Joint Committee on Enrolled Bills have carefully examined enrolled Joint Resolutions Nos. 22 and 23, and find them in all things correctly enrolled.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the President of the Senate to inform the House of Representatives that he has signed the following enrolled joint resolutions, to-wit: Nos. 22 and 23 of the House of Representatives, proposing amendments to the Constitution of the State of Indiana, and the same has been delivered to the Committee on Enrolled Bills for presentation to the Governor.

The Speaker announced that he had signed Joint Resolutions Nos. 22 and 23.

Mr. Cobb, chairman of the Committee on Enrolled Bills, submitted the following report:

MR. SPEAKER:

I am directed to inform the House that the Joint Committee on

Enrolled Bills have, this 10th day of March, 1873, presented enrolled Joint Resolutions Nos. 22 and 23 to the Governor for his signature and approval.

The following message was received from the Senate by the Secretary thereof:

MR. SPEAKER:

I am directed by the Senate to inform the House of Representatives that the Senate has adopted the following resolution, to-wit:

Resolved by the Senate, the House concurring, that the General Assembly do now adjourn *sine die.*

In which the concurrence of the House is respectfully requested

Which resolution was taken up and concurred in.

Mr. Wood, from the Committee on Journals, submitted the following report:

MR. SPEAKER:

Your Committee on the Journals beg leave respectfully to report that they have carefully examined and had read in their hearing the journal of the proceedings of the House for each day, and have found the same to be correct in all respects, as we believe.

MARTIN WOOD,
D. S. SCOTT,
H. C. STANLEY,
JAMES W. WHITWORTH,
W. K. EDWARDS, Speaker, *ex-officio.*

Mr. Blocher moved that the House do now adjourn, *sine die.*

Whereupon the Speaker made the following remarks, and declared the House adjourned *sine die.*

Gentlemen of the House of Representatives:

We are now at the close of another laborious session. This General Assembly has been eminently successful in originating and completing most of the important legislation required by the

necessities of the State. The two sessions through which we have passed so harmoniously together have not been without their important lessons in legislative practice. One of them must be apparent to every member. It is, that the general and specific appropriation bills should not be left to the haste and confusion of the closing hours, but should be considered and matured at an early day of the session, as the course of business will permit. Another is, the danger of grouping together a large number of subjects and interests in one appropriation bill and considering them all at the same time. Each subject or class of appropriations should stand upon its own merits, and be separately acted on.

The enactments which you have assisted in making are important to the best interests of society, intended for the good of the State, and a proper respect for law and order requires their due and faithful execution.

The uniform kindness and courtesy which you have uniformly extended to me, and the unusual harmony which has prevailed during our deliberations has created on my part a warm sentiment of personal attachment to each one of you, without exception.

The generous resolution you passed this morning, the manner of it, impress me still more seriously with the highest obligation which your kindness has placed upon me. The feeling that our intercourse has produced commands from me, not friendship alone, but that which the kindliest and purest sentiments of the heart directs. As you will now return to your respective homes, I wish you the fullest enjoyment of health, happiness and success in life.

Pursuant to your order, I now pronounce this House adjourned *sine die.*

This journal was read in the presence of the Committee and found to be correct.

W. K. EDWARDS, Speaker.

CYRUS T. NIXON, Clerk.

MOSES G. McLAIN, Ass't Clerk.

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9	A BILL to repeal an act fixing the time and mode of electing State Printer.	Shirley.	90.
10	A BILL for the issue and sale of bonds by civil townships to raise money to erect school houses.	Woollen.	141, 154, 182.
14	A BILL to amend sections 5 and 7 of an act in relation to commissions, certificates and resignation of officers.	Heller.	164.
16	A BILL on subject of temperance.	Lenfesty.	936.
21	A BILL to amend the 7th section of an act regulating the granting divorces.	Pfrimmer.	165.
23	A BILL to amend an act for the granting of divorces.	Shirley.	165.
24	A BILL to provide for designated depositories for the safe keeping of the public funds of the State, and the several counties.	Woollen.	404, 444, 459.
27	A BILL concerning interest on judgments.	Willson, of Ripley.	222, 278, 308, 313, 374.
31	A BILL in relation to Public Printer.	Shirley.	90, 91, 119, 129, 130.
36	A BILL to amend sections 1 and 6 of an act to incorporate the Franklin Insurance Company.	Kimball.	714, 716, 719, 721, 836.
48	A BILL to restrain animals from running at large.	Butts.	232. [805, 831, 842, 889.
55	A BILL to amend an act for a general system of common schools.	Cauthorn.	178, 251, 265, 271, 274, 275, 276, 328, 365, 373, 732, 777,
56	A BILL authorizing the payment of money out of the State Treasury for the use of the Indiana University at Bloomington.	Furnas	496, 517, 518, 622.
57	A BILL to restrain farm annimals from running at large.	Hollingsworth.	226, 258, 260, 336.
59	A BILL to amend section 6 of an act providing for the election or appointment of Supervisors of Highways, etc.	Ellsworth.	920, 922, 928, 929.
60	A BILL to provide for the assessment and collection of taxes for municipal purposes, on shares of stock owned in bank.	Given.	303.
61	A BILL to repeal the act creating the 27th Judicial Circuit.	Willard.	733.
67	A BILL on Morgan raid claims.	Pfrimmer.	293, 333, 664, 762, 846, 847.
68	A BILL to amend the 7th clause of section 22 of an act for the incorporation of cities, etc.	Offutt.	312, 365, 451.
71	A BILL to amend sections 7 and 49 of an act for the settlement of decedents estates, etc.		171, 368, 395, 418, 428, 435, 438, 573, 574, 575, 576, 614, 623.

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No.	TITLE.	By Whom Introduced.	Action Thereon.
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76	A BILL to amend an act to enable owners of wet lands to drain and reclaim them.	Martin.	112, 136.
80	A BILL to prevent the spread of the thistle.	Hollingsworth.	143.
85	A BILL to amend sections 10 and 11 of an act regulating the granting of divorces.	Miller.	165.
87	A BILL to amend an act for a general system of common schools.	Mellett.	325, 378, 455, 732, 777, 808, 819, 832, 889.
96	A BILL to repeal an act to authorize aid in the construction of railroads by counties and townships.	Edwards, of Lawrence.	109.
98	A BILL to prevent carrying concealed or dangerous weapons.	Johnson.	537.
100	A BILL relative to the laying out, opening, altering, widening and vacating of streets, alleys and highways.	King.	152, 207.
101	A BILL to protect the citizens of this State from empiricism.	Satterwhite.	123, 177.
102	A BILL requiring judges having jurisdiction over probate matters to examine bonds of executors.	Shirley.	306.
103	A BILL to amend sections 1, 7 and 8 of an act to maintain sick and disabled soldiers and seamen.	Tingley.	311.
110	A BILL to prevent persons under the age of 21 years from buying intoxicating liquors, etc.	Peed.	234, 312, 390.
114	A BILL to amend the first section of an act to authorize any person desiring to erect a flouring mill, or other machinery to be propelled by water, on his land, to make a race-way below such mill, etc., through the lands of other persons, etc.	Walker.	921, 928, 930.
116	A BILL making appropriations for the purchase of additional lands, apparatus, gas, etc., for Soldiers' Home.	Miller.	694.
118	A BILL making the parties competent witnesses as to certain matters in action by executors or administrators upon contract assigned to the decedents.	Willson, of Ripley.	500, 556, 623.
122	A BILL providing for the appraisement of real estate in cities of 30,000 or more inhabitants.	Billingsley.	112, 165, 187, 237, 536.
126	A BILL to restrain animals from running at large.	Walker.	232.
127	A BILL to amend the second section of an act concerning the perpetuity of voluntary associations.	Walker.	153.
137	A BILL to amend section 103 of the practice act.	Johnson.	500, 516, 533, 556, 623.
138	A BILL to amend the third section of an act to authorize cities and towns to negotiate and sell bonds to complete unfinished school buildings, etc.	North.	754, 775, 819, 821, 832, 842, 889.
139	A BILL to authorize Township Trustees to levy an additional tax.	North.	924, 927, 928, 530, 965.

141	A BILL to amend section 7 of an act granting divorces.	Mellett.	165.
143	A BILL to amend section 1 of an act to incorporate the University of Notre Dame.	Butterworth.	137, 138.
144	A BILL to provide for the crossing of railroads, keeping in repair such crossings, etc.	Cowgill.	785, 797, 805, 832, 842, 866.
146	A BILL to prevent the obstruction of ditches, drains and running streams.	Shirley.	155, 176, 244.
149	A BILL to amend sections 39 and 131 of the practice act.	Edwards, of Vigo.	172.
153	A BILL to provide for the calling of a Constitutional Convention.	Branham.	190, 684.
154	A BILL to amend an act to make appropriations for certain purposes, and upon certain conditions, for the benevolent institutions in cases where the State fails to make necessary appropriations.	King.	692.
156	A BILL on the subject of temperance.	Wesner.	936.
158	A BILL declaring all railroad companies common carriers, etc.	Offutt.	283, 335, 493, 495, 613, 648.
161	A BILL to abolish Common Pleas Courts and establish Probate Courts.	Cauthorn.	324.
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173	A BILL to prevent empiricism.	Willard.	223.
176	A BILL to prevent extortionate charges in the transportation of freights by railroads.	Branham.	283.
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182	A BILL declaring the procuring of abortion or miscarriage to be a felony or murder.	Glazebrook.	164.
183	A BILL to divide the State into Congressional districts.	Hardesty.	110.
186	A BILL to amend an act declaring it to be a felony to have carnal knowledge of an insane woman in certain cases.	Peed.	257, 366.
188	A BILL to amend section 433 of the practice act.	Shirley.	499, 518, 533, 555, 623.
189	A BILL to place directors and other officers of Macadamized and other roads, where they are creditors of such roads, on equal terms with other creditors.	Woodard.	260. 275, 339, 844, 848, 850, 853, 866.
191	A BILL defining felonies and defining penalties therefor.	Hatch.	291, 335.
195	A BILL to amend the first section of an act to incorporate the University of Notre Dame.	Henderson.	139, 524, 555, 689, 706, 708, 851, 864, 884, 889.
198	A BILL to amend sections 15, 19, 31 and 49 of an act to provide for the organisation of savings banks.	Riggs.	809, 825, 836, 839, 849, 859, 867.
200	A BILL to authorize and empower boards of county commissioners to equalize local county bounty to soldiers.	Mellett.	108, 499, 525, 559, 573, 580, 623,
201	A BILL exempting property of cities and towns from sale on executions in certain cases.	Cobb.	106, 209, 275. 341.
203	A BILL supplemental to an act for the incorporation of manufacturing and mining companies.	A. Committee.	106, 540.
207	A BILL to provide for the semi-annual collection of taxes.	Satterwhite.	490.
208	A BILL to legalize the official acts of the several boards of trustees of Mooresville.	Shirley	152, 162, 240, 922, 927, 928, 930.
209	A BILL relating to the fencing of railroads and cattle guards.	Shirley.	475.
211	A BILL supplemental to an act to establish a Female Prison and Reformatory Institute for Girls and Women.	Baxter.	299, 308, 309, 313, 374,
211	A BILL defining the misdemeanor of keeping houses of ill fame.	Butts.	88, 89.
213	A BILL defining cruelty to animals.	Judiciary Committee.	109, 136, 176, 499, 681, 922, 928, 930, 966.

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217	A BILL to amend section 6 of an act concerning promissory notes.	Cobb.	106, 107. 108, 203, 420.
218	A BILL concerning the employment of short-hand reporters.	Willson, of Ripley.	809.
219	A BILL to regulate the sale of drugs and medicines.	Glazebrook.	110, 309.
221	A BILL to provide for recording certain leases.	Peed.	257.
224	A BILL in relation to the Female Seminary of St. Mary's of the Woods.	Edwards, of Vigo.	536, 608, 689. 705, 706, 708, 721, 851, 881, 901, 965.
225	A BILL to amend section 2 of an act to provide for the protection of wild game.	Billingsley.	106, 116, 179, 924, 927, 928, 930.
226	A BILL to amend section 453 of the Practice act.	Cauthorn.	321, 365, 454.
227	A BILL providing for the payment to township trustees of all moneys which shall have been collected from townships, for either general or specific purposes, except such moneys as may have been collected from townships for State and county purposes, etc.	Gifford.	125.
228	A BILL to amend the 3d section of an act relative to the disabilities of Circuit Judges, and providing for the appointment of Judges *pro tem*	Kirkpatrick.	174.
229	A BILL to furnish Statutes of Indiana to Justices of the Peace.	Strange.	698.
236	A BILL providing for calling a Constitutional Convention.	Heller.	106, 192, 275, 355.
237	A BILL to amend section 19 of an act prescribing the powers and duties of Justices of the Peace.	Wesner.	155.
238	A BILL to amend an act regulating descents and the apportionment of estates.	Wesner.	193.
239	A BILL to prevent the erection of slaughter houses, etc., upon streams of water.	Martin.	194.
240	A BILL to amend section 70 of an act for the election and qualification of Justices of the Peace.	Givan.	155.
241	A BILL to give security to persons who contract with railroad corporations, etc.	Claypool.	901, 903, 925, 927, 965.
243	A BILL to repeal an act for the protection of game.	Teetor.	143.
244	A BILL to amend section 10 of the Common School Law.	Peed.	306, 365, 422.
245	A BILL to provide for the paroling of prisoners confined in county jails for the non-payment of fines, etc.	Johnson.	140, 154, 241.
246	A BILL concerning the granting of pardons by the Governor.	Johnson.	140, 154, 242.
247	A BILL in relation to the qualification of jurors in certain cases therein named.	Johnson.	136.
252	A BILL to amend section 1 of an act in relation to public highways.	Whitworth.	196, 209, 275, 356.

253	A BILL to amend section 26 of an act prescribing the powers and duties of Justices of the Peace.	Ogden.	136.
255	A BILL supplemental to an act for the relief of the Indiana University.	Hatch.	155, 200.
256	A BILL to regulate the order of business in the Circuit and Common Pleas Courts of this State.	Woollen.	689, 762, 795, 833, 846, 849, 850, 836.
260	A BILL to fix the number of Senators and Representatives in the General Assembly of the State of Indiana.	Cauthorn.	106.
261	A BILL to amend section 1 of an act to provide for a system of Common Schools.	Mellett.	106, 136, 180, 266.
262	A BILL on subject of temperance.	Lenfesty.	936.
264	A BILL to amend section 18 of an act regulating descents and the apportionment of estates.	Prentiss.	195, 275, 340.
265	A BILL defining professional prostitution, and prescribing punishment therefor.	Clark.	95, 100, 124.
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267	A BILL to amend the Practice act.	Jones.	258.
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269	A BILL regulating the fees of certain officers and persons therein named.	Givan.	63.
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271	A BILL to amend section 52 of the Practice act.	Miller.	64, 193, 275, 344.
272	A BILL to regulate the sale of mineral oils, etc.	Scott.	74, 291, 323, 386, 457, 483
273	A BILL to amend sections 37 and 38 of an act entitled "An act for the relief of the poor."	Buskirk.	64, 204.
274	A BILL limiting the punishment of crimes in certain cases.	Isenhauer.	64, 139.
275	A BILL to provide for the acquisition and enjoyment by the United States of lands within this State for public purposes.	Branham.	64, 409, 457, 484.
276	A BILL providing that county officers shall provide their own stationery.	Willson, of Ripley.	65, 174, 176.
277	A BILL to amend the 11th section of Temperance Law of 1859.	North.	65.
278	A BILL prescribing fees of officers in certain cases, etc.	Woodard.	65.
279	A BILL to better enable County Treasurers to collect delinquent taxes.	Schmuck.	66, 409.
280	A BILL to amend section 169 of the law for the settlement of decedents' estates, etc.	Whitworth.	66, 192.
281	A BILL to fix salaries and pay of judicial officers.	Walker.	67.
282	A BILL to fix the time of holding courts in the 20th Judicial Circuit.	McConnell.	67, 275, 345.
283	A BILL to amend section 27 of the Common School Law of 1865.	Givan	75, 538, 555.
284	A BILL to amend section 22 of an act for the incorporation of towns.	Heller.	84, 171, 667, 755.
285	A BILL for the encouragement and perpetuity of reading rooms, lectures, and library associations.	Martin.	84, 310.
286	A BILL defining misdemeanors, and prescribing penalties therefor.	Givan.	85, 194.
287	A BILL fixing the time of holding the Common Pleas Court in the county of Decatur.	Goudie.	85, 197, 275, 356.
288	A BILL supplemental to an act authorizing the construction of plank, Macadamized and gravel roads, approved May 12, 1852.	Mellett.	85, 224, 275, 362.

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290	A BILL to fix the time and mode of electing a State Printer, etc.	Billingsley.	87, 90, 91, 129, 130.
291	A BILL defining what counties shall constitute the Third Judicial Circuit.	Peed.	87, 88, 112, 115, 136.
292	A BILL supplemental to an act regulating proceedings in certain cases of bastardy, etc.	Peed.	88, 262.
293	A BILL to repeal an act entitled "An act fixing the time and mode of electing a State Printer."	Billingsley.	90, 91, 129, 182, 196, 197, 202, 208, 230.
294	A BILL appropriating $125,000 to defray the expenses of the Forty-eighth Session of the General Assembly.	Kimball.	93, 94, 132, 144. 167.
295	A BILL to prevent fraudulent voting and improper influence at elections.	Martin.	98, 424.
296	A BILL to amend an act in relation to the incurable insane.	Givan.	99, 693.
297	A BILL supplemental to an act to authorize aid in the construction of railroads by counties and townships.	Miller.	99, 117, 157, 170, 173, 221, 246, 297, 264, 267, 277.
298	A BILL to limit the time in which actions may be commenced for recovery of real estate sold for taxes.	Thompson, of Elkhart.	99, 139.
299	A BILL to allow a bounty for red fox scalps.	Givan.	100, 142, 154, 183.
300	A BILL supplemental to an act entitled "An act to authorize aid to the construction of railroads by counties and townships," etc.	Branham.	100, 382.
301	A BILL to change the time of Circuit Courts of Bartholomew county in summer term.	Woollen.	100, 120, 203, 225, 237, 277.
302	A BILL fixing the time of holding Common Pleas Courts in Bartholomew county.	Woollen.	100, 121, 203, 225, 237, 277.
303	A BILL to amend sections 2 and 6 of an act entitled "An act providing for a geological survey," etc.	Thayer.	101. 287, 345, 809, 828, 839, 849, 859, 867.
304	A BILL reorganizing the Ninth Judicial Circuit.	Wood.	101, 965.
305	A BILL in relation to the sale of appraised property on execution.	Kimball.	101, 408.
306	A BILL to regulate the recording of instruments of writing, etc.	Kimball.	101, 231, 404, 417, 483, 532, 536.
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311	A BILL fixing the time of holding Courts in the Fifth Judicial Circuit.	Ogden.	102, 196, 275, 358.
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313	A BILL defining what counties shall constitute the Fifteenth Judicial Circuit.	Dial.	103, 130, 152, 162, 340.
314	A BILL to prevent careless riding or driving on public highways.	Talley.	103, 156, 176, 244.
315	A BILL supplemental to an act fixing the per diem of members of the General Assembly, etc.	Woolen.	104, 130, 131.
316	A BILL to allow township trustees to levy additional tax, for paying debts made in building and repairing school houses, etc.	Jones.	108, 200, 367, 280, 308, 369, 416, 430, 924, 927, 928, 929
317	A BILL providing that certain bills of exchange, etc., shall be void.	Millir.	114, 203, 415.
318	A BILL to amend section 2 of an act to discourage useless and sheep-killing dogs.	Barrett.	116, 156.
319	A BILL defining the crime of embezzlement by certain officers, and prescribing punishment therefor.	Miller.	116, 195, 275, 361.
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322	A BILL to regulate the sale of intoxicating liquors by druggists not licensed to retail the same.	Jones.	116, 682.
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324	A BILL to authorize the election of a county engineer and three road commissioners, and the appointment of an engineer general, etc.	Woodard.	118.
325	A BILL declaring what officers shall be elective.	Woodard.	118, 140.
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327	A BILL to regulate the sale of entoxicating liquors, etc.	Butts.	118, 178, 258, 283, 349, 353, 560, 362.
328	A BILL providing for letting the State Printing to the lowest bidder, etc.	Cote.	123, 129, 130.
329	A BILL to repeal section 47 of an act defining felonies, etc.	Wood.	124, 195, 258, 642.
330	A BILL supplemental to an act fixing the per diem and mileage of members of the General Assembly.	Woollen.	130, 152, 162, 239.
331	A BILL to amend sections 6, 7, 11, 12 and 19 of an act regulating the granting of divorces.	Hollingsworth.	132, 165.
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334	A BILL to repeal an act in relation to taxing lands in towns and cities.	Glasgow.	135, 262.
335	A BILL relating to estrays and articles adrift.	Pfrimmer.	147, 259, 271, 282.
336	A BILL providing that railroad aid may be advanced under certain conditions when paid by a township.	Hardesty.	149, 697.
337	A BILL to authorize the sale of the interest of the State in a tract of land in Clay county.	Johnson.	149, 236.
338	A BILL to prohibit township trustees from levying a tax in incorporated towns of one thousand inhabitants, organized into road and school districts.	Satterwhite.	150.

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341	A BILL supplemental to an act for the relief of the Indiana University, etc.	Butterworth.	156, 200, 275, 338.
342	A BILL to tax costs in criminal cases.	Anderson.	158, 171, 190.
343	A BILL to organize county boards and prescribe their powers.	Claypool.	158.
344	A BILL relating to terms of court in Gibson county.	Buskirk.	158, 457, 484.
345	A BILL to amend section 3 of an act to regulate weights and measures.	Wood.	158, 410
346	A BILL to amend section 207 of an act for a uniform assessment of property and collection of taxes.	Shirley.	158, 289, 346.
347	A BILL to amend sections 155 and 180 of an act for a uniform assessment of property and collection of taxes.	Hatch.	159, 298, 391, 490.
348	A BILL to amend sections 1, 2, 3, 4, 6, 8, 12, 13, 15, 17, 18 and 19 of an act to authorize and aid the construction of railroads by counties and townships, etc.	Dial.	162.
349	A BILL to repeal an act for the redemption of real property sold on execution, etc.	Henderson.	162, 194' 401, 457, 486.
350	A BILL to organize insurance companies, and regulate the business of insurance in the State of Indiana.	Kimball.	163, 231, 500, 513, 558, 560, 568, 581, 605, 624, 632, 642, 705, 742.
351	A BILL to enlarge the State House grounds, the appointment of a State House board, and the building of a new State House.	Cobb.	164, 692.
352	A BILL limiting the damages which may be assessed by any Court or jury on account of attorney's fees, etc.	Henderson.	165.
353	A BILL to prohibit township trustees from levying a road tax upon the inhabitants of incorporated towns or cities.	Scott.	166, 289, 308, 370.
354	A BILL to consolidate certain mortgage loans, forfeitures, bills recoverable, and other debts and accounts due the school fund, into one non-negotiable bond.	Branham.	167, 258, 308, 363, 917, 922, 928.
355	A BILL authorizing the Auditor of Scott county to correct the report made to the Superintendent of Public Instruction relating to the school fund, common and Congressional.	Blocher.	186, 199, 258, 770, 774, 808, 819, 832, 842, 867.
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357	A BILL limiting the damages which may be assessed by any Court or jury, on account of attorney's fees, in suits upon contracts, etc.	Barrett.	211.
358	A BILL to repeal section 16 of an act concerning promissory notes.	Richardson.	211, 260.
359	A BILL to prevent swine from running at large.	Mellett.	212, 260, 550.
360	A BILL to appropriate one hundred and fifty dollars for the distribution of the report of the Superintendent of Public Instruction.	Mellett.	212, 248, 308, 366, 695, 729, 731, 739, 745, 838.

361	A BILL repealing all laws in force for holding Courts in the Second Judicial Circuit, to fix a new time for holding Courts therein.	Willard.	212, 334, 419, 420, 433, 435, 438, 559.
362	A BILL to amend section 3 of an act to provide compensation to owners of animals killed by the cars, etc.	Buskirk.	212, 408, 457, 498.
363	A BILL to regulate the fees of attorneys in certain cases.	Buskirk.	212.
364	A BILL concerning taxes voted in aid of railroads.		212, 322.
365	A BILL to amend section 13 of an act to establish public libraries.	Hedrick.	213, 310, 365, 477.
366	A BILL supplemental to an act to authorize assessments of lands for plank, Macadamized and gravel road companies.	Kirkpatrick.	213, 543, 555.
367	A BILL providing for the disposal of unclaimed county orders.	Kirkpatrick.	213, 539.
368	A BILL regulating legislative practice, and the allowance of claims against the State.	Cobb.	214, 275.
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370	A BILL providing for the regular sessions of the board of county commissioners.	Wynn.	214, 429.
371	A BILL supplemental to an act to provide for a uniform assessment of property and collection of taxes.	Wynn.	214, 429.
372	A BILL to amend an act appropriating one hundred and twenty-five thousand dollars to defray the expenses of the forty-eighth session of the General Assembly.	Woollen.	215, 229, 275, 282.
373	A BILL providing for the trial of causes in Common Pleas Courts, where judges are incapacitated from serving as such judges.	Thayer.	215, 324.
374	A BILL to amend section 16 of an act concerning real property and the alienation thereof.	Wood.	215.
375	A BILL to amend section one of an act to discourage the keeping of useless and sheep killing dogs.	Edwards, of Lawrence.	216, 259.
376	A BILL concerning cemeteries and repealing laws in conflict therewith.	King.	216, 286, 308, 369.
377	A BILL declaratory of the laws of this State, as to the eligibility of women for offices therein mentioned.	Johnson.	216, 321, 365, 452, 901, 903, 904, 913, 917, 965.
378	A BILL to authorize the purchase of gravel roads for the purpose of making them free of toll.	Johnson.	216, 385.
379	A BILL to provide for the publication of the proceedings and allowances of boards of county commissioners.	Peed.	217, 327.
380	A BILL legalizing summons, executions and other processes of law issued by Justices of the Peace in incorporated cities to the Marshals of said cities, etc.	Stanley.	217, 325, 365, 417, 924, 927, 928, 929.
381	A BILL regulating the per diem of members of the General Assembly.	Reno.	218.
382	A BILL relative to the salary of the Superintendent of Public Instruction.	Woodard.	218, 252, 305, 365, 476, 731, 739, 745, 695, 836.
383	A BILL to allow owners of overflowed farming lands to inclose the same, etc.	Whitworth.	218, 426, 527, 702.
384	A BILL to repeal section 224 of the Practice act.	Smith.	218, 284, 308, 371, 448.
385	A BILL to amend the 51st section of an act for the incorporation of towns, etc.	Tingley.	218, 702.
386	A BILL to punish interference with contracts for labor.	Butts.	219, 222, 285, 534.
387	A BILL to amend section 13 of an act authorizing the construction of plank roads, etc.	Spellman.	219, 698.

HOUSE BILLS—Continued.

No.	TITLE.	By Whom Introduced.	Action Thereon.
388	A BILL to amend an act granting to the citizens of the town of Evansville a city charter.	Riggs.	219, 385, 457.
389	A BILL to amend sections 4, 5, 24, 26, 35, 43 and 58 of an act granting city charter to Evansville.	Riggs.	220, 384, 416, 462, 482, 533.
390	A BILL to amend the 447th section of the Practice act.	Walker.	220, 254, 308, 368.
391	A BILL relating to the office and duties of the Secretary of State.	Woodard.	225, 279, 308, 373, 442, 840.
392	A BILL to amend section 7 of an act providing for the settlement of decedents' estates, etc.	Gregory.	225, 285.
393	A BILL to amend section 5 of an act to discourage the keeping of sheep-killing dogs.	Gregory.	226, 430.
394	A BILL to prevent fraud in the purchase of stationery for the use of counties.	Thayer.	226, 383.
395	A BILL relating to service of summons and publication of notice of civil actions.	Teeter.	226, 323, 365, 480.
396	A BILL to amend section 49 of an act to provide for opening, vacating and change of highways.	Peed.	227, 544, 608.
397	A BILL relating to fencing railroads, and maintaining cattle yards thereon.	Shirley.	227, 476.
398	A BILL to amend an act for the relocation of county seats.	Schmuck.	227, 325.
399	A BILL to divide the State into circuits for judicial purposes.	Wilson.	228, 320, 432, 864.
400	A BILL supplemental to an act to authorize aid in the construction of railroads.	Butts.	229, 697.
401	A BILL to provide for commissioners for an asylum for inebriates.	Butts.	229, 386, 457.
402	A BILL to amend sections 1, 2, 3 and 5, and to repeal sections 4 and 6 of an act defining felonies.	Clark.	232.
403	A BILL to prevent taking toll on roads or bridges from persons going to church, etc., on Sunday.	Furnas.	233, 310.
404	A BILL to authorize cemetery companies to own, purchase or construct horse railways.	King.	233, 426, 444, 458.
405	A BILL supplemental to an act to establish Superior Courts.	King.	233, 285.
406	A BILL supplemental to an act concerning inclosures and trespassing animals.	Baker.	235, 382.
407	A BILL to provide for a site, system of government and plans for erection of a State inebriate asylum.	Hatch.	235, 373.
408	A BILL to amend section 311 of the Practice act.	Walker.	235, 253, 308, 365.
409	A BILL regulating the fees of officers.	McConnell.	236.
410	A BILL to amend an act to authorize township trustees and trustees of incorporate towns and cities to levy a tax for school purposes.	Woollen.	249, 267, 275.

411	A BILL to amend section 44 of an act for a general system of Common Schools.	Barrett.	261, 306, 365, 452, 810, 824, 839, 849, 859, 868.
412	A BILL to authorize boards of county commissioners to purchase and construct gravel, Macadamized and other improved roads	Furnas.	261, 290, 308, 478.
413	A BILL to change the time of holding the Circuit Court in Huntington County.	Cobb.	262.
414	A BILL to repeal an act in relation to taxation in towns and cities.	Committee.	262, 313, 401, 457, 491, 522.
415	A BILL to amend sections 23, 24, 26, 36, 37 and 43 of an act to repeal all general laws for incorporation of cities, etc.	Mellett.	262, 481.
416	A BILL granting the consent of the State of Indiana to the purchase by the United States of certain real estate in the city of Evansville	Riggs.	377, 326, 365, 480.
417	A BILL to govern costs in Superior Courts in this State.	Johnson.	280, 655, 676, 682, 685, 836.
418	A BILL to amend section 270 of an act to provide for a uniform assessment of property.	Committee.	289, 294, 415, 470.
419	A BILL to amend section 55 of chapter 1 of an act for the election and qualification of Justices of the Peace.	Martin.	291, 424.
420	A BILL to abolish the grand jury system, etc.	Anderson.	291, 325.
421	A BILL fixing the terms of the Circuit Courts in Dearborn county.	Givan.	292, 299.
422	A BILL fixing the terms of the Common Pleas Courts in Dearborn county.	Givan.	292, 300.
423	A BILL in reference to loaning and securing the common school fund of the State.	Kirkpatrick.	292.
424	A BILL to amend the 120th section of the practice act.	Kirkpatrick.	292, 322, 365, 478.
425	A BILL to regulate the sale of intoxicating liquors by druggists.	Edwards, of Lawrence.	292.
426	A BILL to organize street railroads to extend beyond city and town boundaries.	Wynn.	293, 695.
427	A BILL to amend an act to define misdemeanors and prescribe punishment therefor.	Johnson.	293, 526.
428	A BILL to allow the endowments of orphan asylums.	Johnson.	293, 762, 693.
429	A BILL concerning grain elevator corporations, etc.	King.	293, 429, 457, 495.
430	A BILL to amend sections 5 and 6 of an act authorizing County Boards to declare water courses navigable.	Peed.	293, 386, 457, 497, 924, 927, 928, 930.
431	A BILL to amend the 24th section of an act regulating descents and the apportionment of estates.	Eward.	294, 322.
432	A BILL to amend section 16 of an act concerning promissory notes, bills of exchange, etc., etc.	Shirley.	294.
433	A BILL relating to interest.	Shirley.	294, 531.
434	A BILL supplemental to an act concerning license to vend foreign merchandise, to exhibit caravan, menagerie, etc., etc	Reno.	297, 368, 393, 457, 849, 864, 884, 889, 890.
435	A BILL to repeal section 118 of an act to provide for a uniform assessment of taxes.	Dial.	297, 307, 470.
436	A BILL to amend sections 109, 110, 111 and 118 of an act to provide for a general system of common schools.	Walker.	297, 539, 608, 884, 903, 928, 929.
437	A BILL to require surviving partners to give bond, file inventories of appraisement of partnership effects, etc., etc.	Tulley,	298.
438	A BILL in reference to the registration of voters.	Isenhauer.	298, 467.
439	A BILL to provide liens on buildings and the enforcement of the same.	Edwards, of Vigo.	304, 408.
440	A BILL regulating the fees and salaries of prosecuting and district attorneys.	Peed.	315, 368.

HOUSE BILLS—Continued.

No.	TITLE.	By Whom Introduced.	Action Thereon.
441	A BILL to require an examination of transcripts on appeals to the Supreme Court.	Woollen.	315.
442	A BILL to provide for the publication of allowances of the Board of County Commissioners.	Billingsley.	328, 427.
443	A BILL making an appropriation to furnish books and other educational appliances to the blind of Indiana.	Branham.	342, 695.
444	A BILL to provide for the sale of the old county jail and court-house at Rome, Perry county, Indiana.	Schmuck.	359, 393, 398, 809, 835, 839, 849, 859, 867.
445	A BILL to authorize aid to the construction of railroads by townships taking stock in and making donations to railroad companies.	Isenhouer.	383, 457.
446	A BILL to repeal section 55 of an act to amend an act to authorize and regulate the business of general banking.	Peed.	389, 490, 497, 514.
447	A BILL to amend section 1 of an act in relation to the change of public highways.	Whitworth.	390, 457, 498.
448	A BILL to enable Township Trustees to levy an additional special school tax for the purpose of completing school houses.	Ellsworth.	390.
449	A BILL to amend section 443 of the practice act.	Isenhouer.	390.
450	A BILL supplemental to an act authorizing the assessment of land to build plank, gravel and Macadamized roads.	Spellman.	390, 544.
451	A BILL concerning interest on money, etc.	Givan.	391.
452	A BILL supplemental to an act regulating general elections.	Richardson.	391.
453	A BILL to legalize the incorporation of the town of Kentland, Indiana, and the official acts of the several Boards of Trustees.	Hatch.	391, 473, 497, 520, 901, 903, 928, 929.
454	A BILL repealing an act for the protection of fish, etc.	Goudie.	392, 426.
455	A BILL to provide for township elections	Miller.	393, 418, 428.
456	A BILL to amend the charter of the town of Clinton, etc.	Gronendyke.	392, 497, 521, 809, 836, 839, 849, 859, 866.
457	A BILL providing that owners of land on each side of public highway, to give one-half of such highway.	Brett.	392, 762, 702.
458	A BILL to amend section 186 of the practice act.	Ogden.	392, 404, 457.
459	A BILL giving jurisprudence to the several criminal courts.	Johnson.	393, 537.
460	A BILL to amend section 132 of the practice act.	Johnson.	393, 537, 555.
461	A BILL to amend an act authorizing the assessment of lands for macadamized and gravel roads.	Eward.	393, 543.
462	A BILL to provide compensation to Judges for holding adjourned and special sessions of Circuit Court.	Wesner.	394.
463	A BILL defining certain rights and duties of feeders and pasturers of live stock.	Hollingsworth.	394, 430, 529.

464	A BILL to amend the 1st and 14th sections of an act to provide for a general system of common schools.	Hollingsworth.	394.
465	A BILL fixing the time of holding courts in the Tenth Judicial Circuit.	McConnell.	395, 413, 457.
466	A BILL providing for the publication of official matter in German newspapers.	Edwards, of Vigo.	402.
467	A BILL to amend an act regulating foreign Insurance Companies doing business in this State.	Baker.	402.
468	A BILL to repeal all laws whereby stockholders in corporations are held liable for the debts of the corporation.	Baker.	402, 531.
469	A BILL to amend the 22d section of an act for the incorporation of towns, etc.	Ogden.	403, 543.
470	A BILL to amend an act fixing the per diem and mileage of members of the General Assembly, etc.	Crumpacker.	403, 531.
471	A BILL to amend the 647th section of the practice act.	Judiciary Committee.	409.
472	A BILL for the regulation of weights and measures.	Committee on Agriculture.	410.
473	A BILL for the formation of bridge companies.	Kimball.	423, 468, 479.
474	A BILL to amend section 1 of an act for the incorporation of building, loan and savings associations	Baker.	423, 474.
475	A BILL to authorize judgment for the fee of plaintiff's attorney, in all suits by private citizens against railroad companies.	Woodard.	423.
476	A BILL relating to prosecution by affidavit and information.	Shirley.	423, 762, 691, 793, 833, 855, 864, 884, 889, 890.
477	A BILL regulating the fees of officers, etc.	Committee on Fees and Salaries.	425, 436, 835.
478	A BILL to provide for the publication of proceedings of Boards of County Commissioners so far as they relate to receipts and disbursements of public funds.	Com. on County and Tp. Business.	427.
479	A BILL to amend section 561 of the practice act.	Mellett.	431.
480	A BILL to encourage Teachers' Institutes.	Buskirk.	432, 468.
481	A BILL to repeal an act to render taxation for common school purposes uniform, and provide for the education of colored people.	Furnas.	432.
482	A BILL supplemental to an act to provide the compensation, election and duties of the Attorney General, etc.	Kimball.	435.
483	A BILL to amend an act to allow railroads to alter their lines in certain cases.	Branham.	442, 534, 535.
484	A BILL authorizing turnpike companies to adopt the act of January 12, 1852, and amendments thereto, and to amend section 18 of law on same subject of March 6, 1865.	Butts.	442, 756, 703.
485	A BILL requiring conductors and engineers on passenger trains on railroads, to stop at cities and incorporated towns.	Butterworth.	443, 468, 475.
486	A BILL for the incorportion of real estate and live stock companies.	Henderson.	443.
487	A BILL amending an act for the election or appointment of supervisors of highways.	Ramsey.	443, 645.
488	A BILL to amend section 2 and repeal sections 3 and 4 of an act to render taxation for common schools uniform.	Cowgill.	444.
489	A BILL to amend section 5 of an act to incorporate the town of Huntington.	Cobb.	444, 464, 497, 677, 772, 805, 832, 842, 867.
490	A BILL supplemental to an act for the incorporation of mining and manufacturing companies.	King.	444, 540, 608.
491	A BILL to amend section 51 of an act providing for the election and	Anderson.	463, 530.

HOUSE BILLS—Continued.

No.	TITLE.	By Whom Introduced.	Action Thereon.
	qualification of justices of the peace, and defining their jurisdiction, etc.		
492	A BILL to amend section 7 of an act to establish a home for disabled Indiana soldiers and seamen and their orphans and widows.	Mellett.	464.
493	A BILL to amend line 1, section 8, of an act to provide for the more uniform mode of doing township business.	Thompson.	464, 540, 694, 731, 739, 745, 836.
494	A BILL to amend section 1 of an act to amend sections 9, 10, 18, 19, 23, 24 and 33 of an act to incorporate the town of Vernon, Jennings county, Indiana.	Wynn.	465, 475, 479, 521, 902, 993, 925, 927, 965.
495	A BILL to provide for the appointment of two commissioners of fisheries.	Butterworth.	465.
496	A BILL to amend section 160 of an act to provide for a general system of common schools, etc.	Billingsley.	465.
497	A BILL giving justices of the peace and mayors of cities original and exclusive jurisdiction in all cases of misdemeanors where the fine does not exceed fifty dollars and no imprisonment.	Edwards, of Lawrence.	465, 572, 555.
498	A BILL to establish a sanitarium, and providing for the government thereof.	Baxter.	466, 548, 680.
499	A BILL to authorize cities and towns to issue new bonds in exchange for other bonds that have been issued to build school-houses, etc.	Walker.	466, 527, 555.
500	A BILL to amend section 531 of the practice act.	Tulley.	466, 530.
501	A BILL to amend the title of an act concerning licenses to vend foreign merchandise, exhibit shows, menageries, etc.	Buskirk.	467.
502	A BILL to amend section 1 of an act to amend section 8 of an act to authorize and limit allowance by courts and drafts upon the county treasury.	Tulley.	474, 752.
503	A BILL regulating the commencing and adjournment of grand juries.	Woollen.	475, 756, 689, 790, 833, 855, 916, 920, 923, 927, 928, 966.
504	A BILL to amend an act for the uniform assessment of property and return of taxes thereon.	Kimball.	487, 810, 821, 864, 884, 889.
505	A BILL declaratory of the true interest and meaning of an act supplemental to an act to authorize aid to the construction of railroads, etc.	Gifford.	523, 696.
506	A BILL to amend an act for a general system of common schools.	Broaddus.	523,
507	A BILL in relation to the fees of jurors before justices of the peace.	Kirkpatrick.	523.
508	A BILL to make further provision for the care and treatment of the insane of the State.	Branham.	423, 653, 723, 801.
509	A BILL authorizing the construction of private narrow guage railways.	Branham.	524, 762, 697.

510	A BILL declaring what counties shall constitute the 22d judicial district.	Trontman.	524.
511	A BILL for the relief of pauper soldiers of 1861 and 1812 and the widows and orphans of such soldiers.	Edwards, of Lawrence.	524.
512	A BILL to provide for interests on judgments.	Johnson.	524.
513	A BILL to amend section 27 of an act regulating descents and the apportionment of estates.	Peed.	524, 929.
514	A BILL to amend section 11 of an act regulating the granting of divorces.	Eward.	524.
515	A BILL to legalize elections in certain cases in relation to railroads.	Cowgill.	525, 746, 747, 696
516	A BILL providing for the organization and government of our State Prisons.	Baxter.	525.
517	A BILL to authorize township trustees to declare water courses public highways.	Smith.	525.
518	A BILL to provide a bureau of statistics of labor and the appointment of a commissioner.	Woodard.	525.
519	A BILL to provide for a progressive tax on the taxables of Indiana, and for submitting the same to the voters of the State, at the general election in October, 1874.	Woodard.	525.
520	A BILL defining a misdemeanor, and prescribing punishment therefor.	Committee on the Judiciary.	526.
521	A BILL to provide for the erection of new buildings for the State University at Bloomington.	Givan.	534, 538, 756.
522	A BILL to amend section 17 of an act to repeal all general laws for the incorporation of cities, etc.	Cauthorn	550, 702.
523	A BILL to amend section 8 of an act concerning real property and the alienation thereof.	Cauthorn.	550, 762, 691.
524	A BILL to authorize railroad companies organized under the laws of the State of Indiana to make contracts for the use of their tracks by the trains of other, etc.	Gregory.	568, 747, 696, 807, 808, 798, 927, 930.
525	A BILL to amend section 33 of an act to provide for the government of the State University.	Jones.	568.
526	A BILL to provide for the public printing and binding.	Hardesty.	614, 671, 785, 837, 849, 851, 902, 928.
527	A BILL in relation to the public printing, binding and lithographing of the State.	Woollen.	614, 671.
528	A BILL concerning the employment of short hand reporters, regulating their duties, etc.	King.	618, 690, 747, 749, 835, 839, 849, 859, 867.
529	A BILL supplemental to the practice act.	Johnson.	619.
530	A BILL to raise revenue for State purposes for the years 1873 and 1874.	Kimball.	664, 685, 686, 733, 736, 757, 762, 844, 856, 890, 903. 904, 917, 965.
531	A BILL making general appropriations for the years 1873 and 1874.	Kimball.	666, 692, 739, 788, 885, 904, 914, 926, 927, 928, 966.
532	A BILL to authorize the Governor, Auditor and Treasurer of State to make a temporary loan.	Kimball.	681, 872, 901, 903, 925, 927, 965.
533	A BILL fixing the amount of compensation for pastors, priests, ministers, preachers and clergymen for preaching funeral sermons, etc.	Blocher.	684, 693.
534	A BILL legalizing the assessment and collection of municipal taxes for the years 1871 and 1872, of the town of Summerset, Wabash county.	Cowgill.	684, 809, 835, 839, 849, 867.
535	A BILL making specific appropriations for the year 1873.	Kimball.	692, 739, 786, 787, 902, 904, 927, 928, 966.
536	A BILL regulating the salaries of public officers.	King.	704, 928.

HOUSE BILLS—Continued.

No.	TITLE.	By Whom Introduced.	Action Thereon.
537	A BILL to extend the time for the election of railroad directors, and to prevent the dissolution of companies by omission to elect within the time heretofore specified.	Branham.	704.
538	A BILL to amend sections 25 and 28 of the act to divide the State into counties, etc.	Claypool.	704. 828.
539	A BILL to amend the first section of an act creating nineteenth, twentieth and twenty-first judicial circuits, etc.	Walker.	730, 747, 809, 821, 833, 842, 866.
540	A BILL to authorize prosecuting attorneys to prosecute the pleas of the State before justices of the peace.	Miller.	742.
541	A BILL fixing the time of holding court in the Thirteenth Judicial Circuit.	Smith.	742, 748, 925, 927, 928, 929, 965.
542	A BLIL in relation to laying out, opening, widening, altering and vacation of streets and highways etc.	King.	853.

SENATE BILLS IN HOUSE.

No.	TITLE.	AUTHOR OF BILL.	ACTION THEREON.
2	A BILL to authorize and regulate the incorporation of banks of discount.	Dougherty.	120, 198, 265, 316, 337, 340.
4	A BILL to provide for the assessment and collection of taxes for municipal purposes, on shares in banks and bank corporations.	Gregg.	354, 396, 539, 616, 667, 672, 682, 685.
6	A BILL concerning the transportation of freight and passengers on railroads.	Williams.	272, 277, 278, 335, 340, 493, 495, 550, 555, 613, 618, 933, 937.
10	A BILL to amend section 58 of the city charter law.	Sarnighausen.	206, 422, 689, 708, 770, 772, 773, 792, 795.
15	A BILL to authorize cities and towns to negotiate and sell bonds to erect and complete unfinished school buildings.	Hubbard.	151, 313.
16	A BILL authorizing suits to be brought in partnership names.	Taylor.	303, 316, 529.
23	A BILL to authorize county commissioners to appropriate money to repair canals.	Bird.	315, 378, 418, 445, 449, 458, 459.
24	A BILL to amend section 30 of an act providing for the election or appointment of supervisors of highways.	Cave.	209, 230, 290, 667, 834, 871, 877 [illegible]
27	A BILL to legalize certain acts of corporations organized or attempted to be organized under and by virtue of an act entitled "An act authorizing the construction of plank, Macadamized and gravel roads," approved May 12, 1852, and acts supplemental thereto.	Glessner.	800, 834.
29	A BILL to provide for the enlargement of the State House grounds, etc.	Thompson.	174, 230, 251, 455, 472, 5.
32	A BILL to legalize the sale of seminary lands in Jasper county, to Spitler.	Dwiggins.	303. 316, 379, 616, 676, [illegible]
34	A BILL to amend section 90 of an act entitled "An act to revise, simplify and abridge the rules, practice, pleadings and forms in criminal actions in the Courts of this State," approved June 17, 1852, and declaring an emergency.	Hough.	747, 873, 925, 927.
35	A BILL to amend section 29 of an act entitled "An act to repeal all laws now in force for the incorporation of cities, and to provide for the incorporation of cities, prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14 1867.	Gregg.	615, 724.
37	A BILL to amend section 47 of an act to provide for the opening, vacating and change of public highways, etc.	Cave.	303, 317, 385.
48	A BILL to amend sections 1, 7 and 8 of an act to establish a home for the maintenance of sick and disabled soldiers and seamen.	Thompson.	151, 543, 804, 860 884,
49	A BILL to amend sections 22, 23 and 57 of an act for the incorporation of cities and towns.	Hough.	472.

SENATE BILLS IN HOUSE—Continued.

No.	TITLE.	AUTHOR OF BILL.	ACTION THEREON.
50	A BILL to correct the county lines between the counties of Washington and Clark.	Bowman.	303, 316, 652, 691, 770, 772, 773, 792, 795.
61	A BILL to protect society against setting at liberty persons who may have been acquitted of any crime or misdemeanor.	Thompson.	609, 723.
62	A BILL to amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of an act to incorporate the town of Bluffton.	Dougherty.	93, 152, 313, 319, 431, 438, 439, 445.
64	A BILL for the collection and publication of statistics.	Haworth.	450, 471, 522.
69	A BILL authorizing cities incorporated under general laws of this State and owning real estate, to sell and convey the same in whole or part, etc.	Sirnighausen.	380, 397, 474, 689, 708, 709, 770, 772, 773, 792, 795.
71	A BILL to amend sections 7 and 49 of an act for the settlement of decedents' estates.	Carnahan.	152.
73	A BILL to amend sections 15 and 16 of an act for the incorporation of towns, etc.	Bradley.	417, 471, 702, 882, 913, 925, 927.
74	A BILL to legalize the acts and proceedings of boards of county commissioners in certain cases.	Rhodes.	380, 397, 428, 834, 871, 878, 899, 900.
77	A BILL to amend section 447 of an act to revise, simplify and abridge, etc.	Hough.	380, 397.
82	A BILL to amend section 9 of an act to provide for electing Electors for President and Vice President of the United States.	Hough.	209, 230, 327.
88	A BILL to authorize and encourage the construction of levees, dykes, drains, ditches, etc	Chapman.	119, 399, 400, 689, 708, 709, 811, 826, 927, 928, 929, 931.
94	A BILL concerning the application of certain fines, penalties and forfeitures collected in the enforcement of certain city ordinances in cities having incorporated homes for friendless women.	Thompson.	450, 472, 545, 604, 605, 606
96	A BILL to encourage manufacturing in the State of Indiana, and allowing and legalizing conveyances of real estate by and to foreign manufacturing companies.	Hubbard.	381, 397, 540.
98	A BILL to prevent the carrying of concealed or dangerous weapons.	Collett.	450.
99	A BILL to authorize sureties upon notes, bills, bonds, or other instruments in writing, who have been compelled to pay the same for their principal to collect of such principals interest on amounts paid by such sureties.	Collett.	381, 397, 530, 617, 618, 691, 695, 714, 721.
100	A BILL to amend sections 352 and 354 of the practice act.	Daggy.	380, 398.
103	A BILL to amend section 78 of a law for a general system of common schools.	Smith.	380, 398.
105	A BILL to authorize the Courts of Common Pleas to determine who the heirs, legatees, or distributees of a decedent are, and to order partial distribution of his estate among such heirs, etc.	Taylor.	450, 471.

106	A BILL to prescribe the qualifications of petit jurors in the several courts of this State.	Brown.	381, 398, 794, 813, 849, 850, 851, 860.
115	A BILL to prevent extortionate charges for the transportation of freight on railroads.	Brown.	283, 284, 335, 494, 495, 550, 555, 611, 618, 650, 686, 737, 740, 761.
116	A BILL to amend sections 95, 96 and 97 of an act providing for the settlement of decedents' estates, etc.	Dwiggins.	450, 473.
117	A BILL regulating the granting of divorces, nullification of marriages, etc.	Orr.	610, 724, 806, 811, 899, 902, 917.
120	A BILL to protect the ballot box, to procure a fair election, to define felonies, and prescribe a punishment therefor.	Armstrong.	793, 842, 871, 878, 899, 900.
122	A BILL to legalize certain appropriations made by Boards of County Commissioners.	Harney.	218, 230.
126	A BILL to amend section 1 of an act for the election or appointment of supervisors, etc.	Slater.	772.
127	A BILL in relation to the collection of promissory notes and contracts given for a patent right, etc., etc.	Rhodes.	457, 471.
140	A BILL to amend section 3 and section 4 of an act prescribing who may make a will, etc.	Howard.	381, 398.
143	A BILL to restrain all persons from hiring or employing persons under the age of twenty-one years, to make or vend by the wholesale or retail, any spirituous or intoxicating liquors, and prescribing penalties therefor, and declaring an emergency.	Steele.	615, 723, 814.
147	A BILL exempting certain personal property from sale on execution	Brown.	138, 150.
148	A BILL to provide for the re-location of county seats, and repealing all laws contravening the provisions of this act, and declaring an emergency.	Dittemore.	609, 724.
150	A BILL to legalize taxes heretofore levied for the purpose of tuition, etc., etc.	Armstrong.	113, 119, 147, 163, 166, 168, 795.
153	A BILL to amend an act to create a State Normal School, etc.	Scott.	499, 538, 610, 676, 681.
155	A BILL to reimburse certain counties therein named of taxes illegally assessed and collected in 1869.	Bowman.	456, 473, 491, 798, 871, 878, 899, 900.
156	A BILL to authorize cities constructing water works to issue bonds, and to dispose of the same, in aid of the construction of such water works.	Hubbard.	615, 726, 772, 773, 792.
157	A BILL authorizing the purchase of stationery for county officers, etc.	Rhodes.	464.
159	A BILL to submit to the voters a proposed amendment to the Constitution.	Dwiggins.	120, 169, 178, 228, 229, 240, 242, 473.
160	A BILL to amend an act to incorporate the Lawrenceburgh Insurance Company.	Gooding.	450, 472, 492, 518, 527, 677, 732, 733, 740, 745.
162	A BILL to repeal the 31st section of an act concerning real property, and the alienation thereof, etc.	Scott.	450, 472.
167	A BILL fixing the time for holding the Court of Common Pleas of Ripley county.	Rosebrough.	150.
168	A BILL supplemental to an act in relation to the organization of the two Houses of the General Assembly.	Dwiggins.	103, 151, 252, 294, 302, 360, 679.
169	A BILL authorizing the organization of voluntary associations, and prescribing their duties and powers.	Gregg.	675, 743, 807, 810, 813, 832, 842.
170	A BILL making an appropriation to Perdue University.	Taylor.	456, 471, 538, 615, 750, 781, 792, 793, 811.
173	A BILL to authorize school trustees of incorporated towns and cities	Dittemore.	675.

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No.	TITLE.	AUTHOR OF BILL.	ACTION THEREON.
	to sell certain school property within their limits and providing for the disposition of the proceeds.		
174	A BILL defining certain misdemeanors, and prescribing punishment therefor.	Neff.	609.
176	A BILL supplemental to and repealing an act to establish public libraries.	Hubbard.	604, 724, 829, 889, 899, 902, 917.
185	A BILL to regulate the granting of restraining orders and injunctions by clerks of the Circuit Courts and Circuit and Common Pleas Judges in certain cases.	Hubbard.	609.
187	A BILL to amend section 1 of an act entitled "An act to amend section 1 of an act entitled an act to amend section 3 of an act entitled an act for the regulation of weights and measures," approved June 9, 1852; approved February 28, 1855; approved March 7, 1863.	Scott.	674.
188	A BILL to enable and empower executors and administrators of the estates of deceased persons, to enforce partition of the real estate of such decedents in certain cases, and declaring an emergency.	Steele.	675.
189	A BILL to amend section 648 of the practice act, approved June 18, 1852.	Smith.	609. 847.
192	A BILL to amend section 5 of an act to exempt property from sale in certain cases.	Steele.	
193	A BILL supplemental to "An act authorizing the construction of plank, macadamized and gravel roads," approved May 12, 1852.	Orr.	674.
198	A BILL to provide for the organization of an experimental school for the education of the idiotic and feeble minded children.	Dittemore.	477, 515, 802.
202	A BILL to amend sections 7 and 9 of "An act entitled an act to provide for a general system of common schools," etc.	Carnahan.	609.
203	A BILL to authorize the appointment of resident trustees, to receive and manage the trust fund held in other States and belonging to persons residing in this State.	Daggy.	675.
204	A BILL to amend the 15th section of an act entitled "An act prescribing the manner of compelling officers to give new bonds and additional sureties," approved May 31, 1852.	Daggy.	675, 881, 902, 917.
206	A BILL to encourage agriculture and agricultural fairs by the purchase and improvement of fair grounds.	Friedley.	771, 830, 871, 878, 899, 900.
213	A BILL to amend section 16 of an act entitled "An act concerning real property and the alienation thereof," approved May 6, 1852.	Smith.	675.
217	A BILL to authorize satisfaction of mortgages in certain cases.	Boone.	675.
218	A BILL to encourage destruction of foxes.	Rhodes.	675.

219	A BILL to provide for the enlargement of the State House grounds.	Bradley.	480, 483, 610, 803,
222	A BILL making it unlawful for owners and proprietors of billiard tables to suffer or permit minors to play at or upon the same, or to suffer or permit minors to congregate at and about such billiard tables, and providing penalties for the violation of this act.	Daggy.	615, 736, 868, 899, 902, 917.
223	A BILL to legalize certain acts of notaries public, and the recording of certain instruments; and the same is herewith submitted to the House of Representatives for its action thereon.	Friedley, of Lawrence.	675.
224	A BILL for the relief of Nicholas Morback and others.	Gregg.	618, 708, 714, 899.
231	A BILL to amend an act entitled "An act to amend an act granting to the citizens of the town of Evansville a city charter," approved February 4, 18 8.	Gooding.	770.
238	A BILL to divide the State into counties for judicial purposes, etc.	Glessner.	[773. 562, 606, 655. 687, 688, 752, 755, 756, 758, 760, 769, 771,
239	A BILL authorizing incorporated cities containing a population of fifteen thousand inhabitants to make loans.	Thompson.	810, 871, 923, 925, 927.
244	A BILL fixing the compensation of certain officers therein named.	Bradley.	800.
245	A BILL to provide for the letting of the State Printing to the lowest bidder, and providing that the Governor, Secretary of State and Auditor of State shall be ex-officio commissioners of public printing, and providing for the appointment of a superintendent of public printing, and abolishing the office of State Printer.	Bradley.	683.
247	A BILL to authorize satisfaction of mortgages in certain cases.	Beeson.	675.
250	A BILL to further prescribe the duties of Secretary of State, and to provide for the necessary arrangements, clerks and expenses of his office; and the same is herewith transmitted to the House of Representatives for its action thereon.	Gooding.	754, 826, 840, 871, 878, 899, 900.
254	A BILL to amend section 60 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, prescribing their powers and rights, and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867.	Hall.	609, 631, 698, 749, 791, 792, 793, 810, 811.
258	A BILL to prevent betting on elections, and providing punishment for the same.	Fuller.	683.
262	A BILL to change the time of holding courts in Huntington county.	Daugherty	265, 279, 312, 316, 317.
263	A BILL vesting the inchoate claim of a wife in the real estate of her husband, in certain cases, and defining her rights in the same.	Bird.	846.
264	A BILL to amend sections 4, 5, 26, 35, 43 and 58 of an act entitled "An act granting the citizens of the town of Evansville, in the county of Vanderburgh, a city charter," approved January 27, 1847.	Gooding.	666, 724, 794, 810, 813, 832, 842.
266	A BILL to require surviving parties to file inventories and appraisements in the office of the Clerk of the Circuit Court, and to report the liabilities of such firms, and to execute bond for the assets of said, and making provisions for violations thereof.	Carnahan.	609.
267	A BILL requiring licenses for certain purposes therein specified.	Neff.	872.
273	A BILL in relation to the construction of railroads, and legalizing certain acts in connection therewith, and declaratory of the true interest and meaning of the acts of January 39, 1873, in this act mentioned; and the same is herewith submitted to the House for its action thereon.	Collett.	756, 826, 851.

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No.	TITLE.	AUTHOR OF BILL.	ACTION THEREON.
278	A BILL to amend section 53 of an act entitled "An act to repeal all general laws now in force for the incorporation of cities, and to provide for the incorporation of cities, and prescribing their powers and rights and the manner in which they shall exercise the same, and to regulate such other matters as properly pertain thereto," approved March 14, 1867, and declaring an emergency.	Winterbotham.	666, 806, 927, 929, 931.
289	A BILL to fix the salaries of the Judges of the Supreme Court of this State, and to provide for the time and manner of payment, and declaring an emergency for the immediate taking effect of this act.	Steele.	675, 727, 805, 813, 853, 855, 923, 925, 927, 928.
290	A BILL to suspend the operations and provisions of an act approved May 13, 1869, being "An act to establish a Female Prison and Reformatory Institution for Girls and Women, to provide for the organization and government thereof, and making appropriations; and to provide for occupying and using the buildings and grounds of the Institution lately erected by the State, known as the Indiana Reformatory Institution for Women and Girls, for the benefit of the insane, as an additional asylum, and arranging for their transfer, management and government, and making appropriations for the same."	Dittemore.	732.
292	A BILL regulating the fees of officers and providing penalties for its violation, repealing certain acts therein named, and providing duties to be performed by State, county and township officers, and matters properly connected therewith and declaring an emergency.	Rhodes.	707, 727, 762, 801, 899, 900, 902, 917.
293	A BILL supplemental to an act in relation to the pay and duties of the Attorney General.	Wadge.	801, 826, 917, 923.
294	A BILL to amend an act entitled "An act to provide for a uni form assessment of property and the collection and return of taxes thereon," approved December 12, 1872, and to repeal certain sections of the same in this act specified, and the same is hereby submitted to the House of Representatives for its action thereon.	Sarnighausen.	707, 745, 789, 799.
300	A BILL for the relief of the Lye Creek Draining Association.	Harney.	770, 819, 899, 900, 902, 917.
301	A BILL providing for the incorporation of companies formed for the purpose of constructing bridges for railway or common roadway purposes over rivers, etc.	Steele.	557, 723.
302	A BILL to make general indexes of deeds and mortgages, evidence in certain cases.	Dwiggins.	800.

305	A BILL to incorporate trustees selected by any religious society for educational, benevolent or charitable purposes, and enable them to receive and hold real and personal property for such purposes.	Steele.	770, 802, 848, 850, 851, 860.
310	A BILL to provide for collecting agricultural, mineral and mechanical productions of Indiana and their display at the Vienna Exposition, for the appointment of a Commissioner and Assistant Commissioner, and provides for expenses connected therewith.	Collett.	609, 669, 705, 708, 714.
318	A BILL to make further provisions for the care and treatment of the insane.	Bradley.	754, 923.
325	A BILL for an act to authorize the Governor of the State to exchange with Peter Donnelly certain lands therein described.	Winterbotham.	800, 869, 923, 929.
327	A BILL to limit the time of bringing an action at law or equity upon judgment obtained in any other State of the United States.	Smith.	604, 724.
333	A BILL for the relief of the indigent cripples of the State of Indiana.	Brown.	785, 856, 890, 899, 902.
336	A BILL to fix and determine the boundary line between the States of Indiana and Kentucky, above and near Evansville, and making the same evidence and dispute.	Gooding.	846.
342	A BILL for an act to repeal section 55 of an act entitled "An act making specific appropriations for the years 1871 and 1872," approved December 21, 1872.	Sleeth.	785.
343	A BILL providing for the procuring of plans, specifications and estimates for a new State House.	Scott.	849.
344	A BILL to amend section 3 of an act to provide for the election of a Reporter of Supreme Court, etc.	Sleeth.	833.
345	A BILL to amend section 40 of an act entitled "An act to divide the State into circuits for judicial purposes; fixing the time of holding courts therein; abolishing the courts of common pleas; and transferring the business thereof to the circuit courts; and providing for the election of judges and prosecuting attorneys in certain cases."	Carnahan.	843, 875, 913, 925, 927.
346	A BILL to fix the time of holding courts in the 38th judicial circuit, and to continue in force certain provisions of law applicable thereto and declaring an emergency.	Sarnighausen.	843, 876, 900, 902, 917.
347	A BILL providing how the unused books, blanks, forms and stationery heretofore furnished for the use of the Common Pleas Court shall be disposed of.	Beeson.	846.

HOUSE JOINT RESOLUTIONS.

No.	TITLE.	By Whom Introduced.	Action Thereon.
10	A JOINT RESOLUTION to give Union soldiers and sailors of the late war and of the war of 1812.	Martin.	205.
11	A JOINT RESOLUTION directing a settlement with the State Printer.	Billingsley.	210, 218, 237, 374.
12	A JOINT RESOLUTION in relation to giving notice to the electors of the State of the submission to them the amendment to the Constitution in relation to the Wabash and Erie Canal.	Walker.	248, 284, 286, 289, 374.
13	A JOINT RESOLUTION instructing our Representatives in Congress to use their influence to pass a law regulating the commerce between States, so as to compel railroad companies to equalize their charges for transportation.	Butterworth.	263.
14	A JOINT RESOLUTION concerning a bill pending in the Senate of the United States to shorten the time now required by law to enable soldiers of 1812 to draw pensions.	Tulley.	295.
15	A JOINT RESOLUTION relative to the agreement between the States of Indiana and Ohio on the subject of the Wabash and Erie Canal.	Cauthorn.	304, 348, 375, 559.
16	A JOINT RESOLUTION requiring the Secretary of State to have printed 5,000 copies of the general assessment law.	Baker.	305.
17	A JOINT RESOLUTION instructing members of Congress in relation to granting aid to the James River and Kanawha Canal.	Kimball.	333.
18	A JOINT RESOLUTION declaratory of the first section of an act approved Feb. 3, 1973, entitled "An act supplemental to an act to establish a Female Prison and Reformatory Institution for Girls and Women.	Branham.	358, 367, 372, 375, 376, 559.
19	A JOINT RESOLUTION requesting our Representatives and instructing our Senators in Congress to return certain soldiers therein mentioned to their original position in the army.	Cole.	443, 927, 928, 930.
20	A JOINT RESOLUTION authorizing the Governor to pay out of the Contingent Fund certain moneys for the purpose therein named.	Kimball.	557.
21	A JOINT RESOLUTION in relation to the location of the new State House, removal of Blind Asylum and sale of old State House.	Kimball.	728.
22	A JOINT RESOLUTION proposing amendments to the Constitution of the State.	Committee.	891, 895, 941, 971.
23	A JOINT RESOLUTION to amend article 2 section 14 of the Constitution of Indiana.	Cauthorn.	932, 966, 971.
24	A JOINT RESOLUTION to amend article 15 of the Constitution.	Miller.	941.

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4	A JOINT RESOLUTION authorizing the sale of certain personal property therein mentioned.	Beardsley.	168, 231, 318, 362, 367, 369, 375.
5	A JOINT RESOLUTION to make temporary provision for the public printing.		183, 185, 186, 191, 206, 228, 229, 240, 242.
6	A JOINT RESOLUTION in relation to certain law books therein mentioned.	Daggy.	222.
7	A JOINT RESOLUTION concerning public printing.	O'Brien.	246, 250, 276, 286, 288.
10	A JOINT RESOLUTION authorizing legal proceedings in regard to the Calumet Dam.	Wadge.	337, 348, 349, 355, 356.
8	A JOINT RESOLUTION in relation to the cancellation of certain bonds therein named.	Harney.	380, 515, 573, 580.
12	A JOINT RESOLUTION confirming the purchase of additional grounds whereon to erect a new State House.	Scott.	683, 728, 729, 738, 739, 770, 773, 792, 795.
13	A JOINT RESOLUTION ordering that the sale of swamp lands belonging to the State be suspended, except in certain cases.	Wadge.	683.
15	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to use their influence for the passage of a law to extend the time for presenting claims for pensions to wounded soldiers.	Fuller.	695.
11	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to use all proper means to secure the establishment of a District Court for Northern Indiana, at the city of Fort Wayne. Also a distributing Post Office at said city, and obtain an appropriation for the erection of a suitable building for the purpose contemplated by said resolution.	Bird.	771, 879, 904, 917, 929, 931.
16	A JOINT RESOLUTION in relation to railroad companies and corporations, and defining the duties and giving directions to the Attorney General as to suits and proceedings now pending and which may hereafter be brought.	Gregg.	771, 878, 928, 938.
18	A JOINT RESOLUTION instructing our Senators and requesting our Representatives in Congress to use their influence to prevent the passage of a law requiring publishers of weekly newspapers to pre-pay postage on their publications in the counties where printed.	Friedley, of Lawrence.	785.
22	A JOINT RESOLUTION authorizing the letting of public printing and the purchase of paper to the lowest bidder.	Chapman.	920, 946.
23	A JOINT RESOLUTION in relation to instructing the Treasurer of State to procure a policy of insurance upon the Law Library of the Supreme Court.	Steele.	928.

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